

AP 019 UTL
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dave Leahy *et al.*

U.S. Pat. No.: **7,181,690**

Filed: **August 3, 2000**

Issued: **February 20, 2007**

For: **SYSTEM AND METHOD FOR ENABLING
USERS TO INTERACT IN A VIRTUAL
SPACE**

Group Art Unit:

Examiner:

Attorney File No.: **AP 019**

Office Action Mailed On: **N/A**

Confirmation No.:

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Under provisions of 35 U.S.C. § 301 and 37 C.F.R. § 1.501, Assignee of the above-referenced patent, Worlds.com, Inc., hereby cites art that is pertinent and applicable to the patent. The information is pertinent in that it was provided by members of the general public who believed the information to be pertinent to this patent. The art (which has also been submitted with information disclosure statements filed in U.S. Patent Application Serial Number 12/353,218) is listed below.

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36. U.S. Patent Number 5,008,853.

All items other than U.S. Patents and U.S. Patent Application Publication are attached to this paper.

If fee is required for filing of this paper, the undersigned hereby authorizes charging such fee to Deposit Account Number 50-3196.

Respectfully submitted,



Dated: February 3, 2009

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(37 C.F.R. §1.8a)

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ONLINE WITH START

Kesmai Air Warrior

By Andrew Reese with Gregg Pearlman
START Editor and Antic Assistant Editor

Flight simulators are nothing new on microcomputers. Probably the third game invented (after Colossal Cave and Pong) was a flight simulator. As computers became more powerful, the simulations improved to the point where now there are several excellent simulators on the ST.

But with the exception of Flight Simulator II, all ST flight simulators share one shortcoming: you fly alone. Your buddies can't fly with--or against you. Even Flight Simulator II only allows friendly flying; the World War I game is unavailable during two-player mode. And Flight Simulator II has one other limitation: only two players can share the skies at once and then only connected locally through the MIDI ports.

ONLINE AND OFF

Kesmai Air Warrior is the first and only online multi-player graphic air combat simulator in existence. Like other Kesmai multi-player games, it is available only on GENie. Air Warrior (AW) uses a unique system of local graphics and digitized sound with the modem and mainframe used to keep track of what you and everyone else is doing. Graphics info is not sent down the line; thus the screen update rate is "refreshingly" fast.

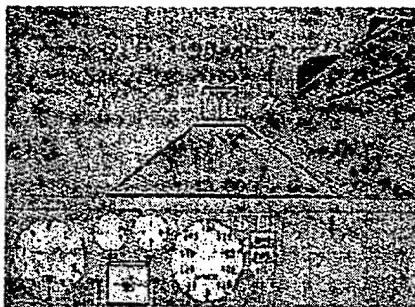
Getting started in AW requires an investment in connect time. The software for the ST is available to download, but the two files required take more than half an hour to download at 1200 baud. Then you go offline to unARC them and finally go back online through the terminal package in the AW software. If you think you're ready to tackle the hotshots found lurking around AW country, you're wrong. There's an offline training mode that lets you get the feel of various aircraft and get comfortable with the mouse--and keyboard-based controls; use it. And don't go online until you can take off, fly and land in the expert mode. If you try to go online in the beginner mode, you'll die early and often. I know--I did.

ALL TOGETHER NOW

The scenario in AW is based on the concept that three impoverished enemy countries are forced to purchase World War II planes for their air forces. When you enter AW, you

Kesmai's Air Warrior allows you to fly vintage World War II fighters and bombers against multiple opponents. Here, a Corsair readies for takeoff.

choose a country to fly for, a theater of operations to fight in, an airfield to fly from and an airplane to fly (plus about a dozen other variables and toggles). The planes are some of the finest fighters and bombers from WWII. You can choose a Mustang, Zero, Corsair, Spit IX, FW190 and on and on. If you want to pilot or crew a bomber, you can do that, too, although naturally almost everyone wants to be a hot fighter jock.



One of the nicest aspects of AW is that each aircraft has a performance envelope patterned after its prototype. Spitfires and Zeros, for example, are super-maneuverable and the big bombers, well, just lumber along. You can also customize your cockpit display and add your own digitized sounds. Unfortunately, the sound slows up the 68000 to the extent that serious dogfighting is better done in silence. At least there's a sound toggle. And the graphics? Well, they're not too hot. But when you think of what is going on with up to 41 planes in a theater at one time, the graphics are not that bad. Besides, I never had time to gawk at them anyway.

INTO THE SKIES

My first sortie in AW was a disaster. I must admit that I hadn't read the manual completely, just skimmed it like everyone else does. So I went up the first time in a Corsair in beginner mode, fighting for the flag of good old Country C. Unfortunately, beginner mode does not allow inverted flight, loops, rolls, Immelmans, Split-Ss, spins or any of the other common tactics necessary to survive in a dogfight. So I was easy prey for any of those dastardly Country A and B blokes who happened by.

Then I discovered Expert mode and things changed for the better. I became, if not the scourge of Theater 1, at least not a patsy for every Ace looking to better his rank. The controls are more comfortable now and I can do a wingover, snap roll, axial roll and lots of other fun aerobatics. And as soon as the deadline for this column is past, I'm going to go back up in the skies and make the world of Kesmai safe for GENie-bill-fearing Americans. I dread the bill, but what price freedom?

SERVICES MENTIONED

GENie (General Electric Network for Information Exchange), General Electric Information Services Co., 401 N. Washington Street, Rockville, MD 20850, voice phone (800) 638-9636.

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\$50,000 Reward Offered For Proof Worlds.Com Patent Lawsuit Is Bogus

Eric Krangel | January 14, 2009 6:00 AM

Virtual worlds -- or more broadly, 3D online spaces -- have been around for a long time. But last month, worlds.com hired lawyers to enforce a patent for the idea, claiming they invented the concept back in 1995. The first target for lawsuits: NCSoft, the Korean company behind games like World of Warcraft-wannabe "Guild Wars."

But if some companies think there's free money in suing others for infringement, there are other companies who think there's money in trying to stop them. Enter self-described "patent research company" Article One Partners, which is offering a cool \$50,000 to anyone who can offer proof in the way of "prior art" substantiating the virtual worlds idea existed prior to 1995.

AOP's Cheryl Milone, a patent lawyer, explained to SAI how her two month-old company works: Article One crowdsources the research behind patent investigations to the entire Internet, and makes the reward big enough to motivate people. The company then turns around and sells the research to interested parties, like NCSoft.

If NCSoft files AOP's findings with the court as part of the public record, so be it. But if a company can use AOP's research to settle the case out of court, there's nothing stopping Article One from selling the information again.

Other outstanding cases with \$50,000 bounties include research into Pfizer's (PFE) patent on Lipitor, and a patent case involving a claim by Konami against Guitar Hero creator Harmonix.

It's an interesting idea, and a more proactive approach than rival anti-troll concepts like IBM-backed (IBM) Linux Defenders. But Milone does offer one caveat: The reward is first-come, first-serve, so the first person to file convincing proof on the virtual worlds suit (or any other) gets the money.

See Also:

Patent Troll Claims To Have Invented Virtual Worlds
How To Win A Patent Case: Sue Foreigners In Xenophobic, Troll-Friendly East Texas
Open-Source Companies Band Together To Fend Off Patent Trolls

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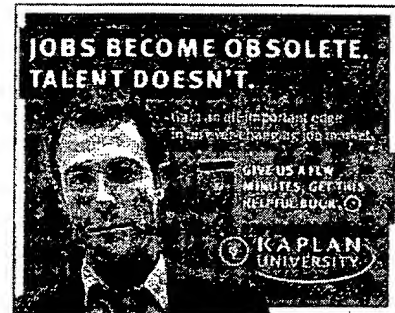
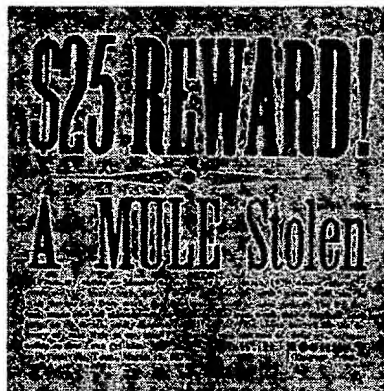


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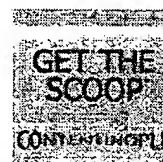
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1. The Real Carol Bartz: Assessing Yahoo's New CEO
2. Carol Bartz To Become Yahoo CEO (YHOO)
3. The Eidos Rescue Plan: Naked Lara Croft?

Ben said:

Jan. 14, 8:47 AM

Wouldn't MUDs count as prior art in this case?

Eric Krangel (URL) said:

Jan. 14, 9:58 AM

Good question, one I'm not qualified to answer.

I also wonder if Neal Stephenson's Snow Crash would count.

Might be worth applying..

Randy said:

Jan. 14, 10:09 AM

Compuserve hosted a "worlds away" online service in the early 90's that featured avatars and a virtual world. That was before 1995, but I don't know when the patent was started.

Vax 11/780 (URL) said:

Jan. 14, 11:29 AM

Back in 1983 there was a game called Universe on the DEC Vax 11/780 loaded on the sys:volume, play via text, you went to different places in the universe and fought enemies. The natural extension of this fun game is to allow other users on the same network to play along.

Though NOT visually interactive, the fighting was interactive.

Extensions of this game are today VR.

Much like "Star Trek" grid of 10/10 on HP3000 back in 1977. (HP3000 might not be the correct mainframe)

DEC's Universe was better than HP's Star Trek, much more interactive.

I wonder since I mention that HP made a star trek game back in 1977 and called it that and put it on there computer systems will they get sued for TM infringement. HA

Someone only need to follow the progression from these two base games.

Also, the Yahoo patent in 1998 for user interaction is also bogus, as everything with half a brain KNOWS that excite.com was the first one to make "My Excite"

Yahoo's 'Dynamic Page Generator' patent was 6 months AFTER excite released the exact same thing.

Craig said:

Jan. 14, 12:25 PM

Have to look at what games I moved to after Zork and the early text gaming excitement "Go North. Open Mailbox".

Of course, if I find the answer, I think I'll give it to Article One Partners before posting here.

But the real question now, did they ever find the lost mute?

SD said:

Jan. 14, 12:40 PM

I remember QuantumLink (the predecessor to AOL) having graphical virtual online communities back in the 1980's for the Commodore 64:

[http://en.wikipedia.org/wiki/Habitat_\(video_game\)](http://en.wikipedia.org/wiki/Habitat_(video_game))

Basically the predecessor to today's MMORPGs and Second Life-type communities.

The online "virtual world" concept has been around for a long, long, time.

Eric Krangel (URL) said:

Jan. 14, 12:52 PM

My own take is yes, of course the virtual world concept is a very old one.

Will be interesting to see what comes out of the reward program though.

Join the discussion

Name (Required)

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Comments (You may use HTML tags for style)

4. 12 Media Properties That Are Toast
5. Yahoo's Top Search Advertiser Makes Its Money Selling Google Ads (YHOO)
6. Yahoo's Share Of All Search Advertisers Drops 36% in Q4 (YHOO)
7. AOL, Yahoo Execs Spent Two Days Talking Integration (YHOO)
8. Sue Decker's Farewell Memo (YHOO)
9. Bartz: "Tell Me Why I Shouldn't Fire The Whole Lot Of You"
10. Yahoo's Bartz: Safe Choice, Not Necessarily The Right One (YHOO)

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Virtual Worlds News

December 29, 2008

Worlds.com Files Suit Against NCsoft for Patent Infringement

On Christmas Eve, [Worlds.com](#) filed a complaint against [NCsoft](#) for infringing on its virtual world and MMO patent. Worlds.com, which was one of the early virtual world developers from the '90s, made waves earlier this month when it announced that it had selected an intellectual property firm to defend its two patents related to scaling virtual spaces and enabling users to interact and chat in 3D environments.

Specifically, the suit claims that NCsoft has infringed on patent 7,181,690, "[System and Method for Enabling Users to Interact in a Virtual Space](#)" through its games, including City of Heroes, City of Villains, Dungeon Runners, Exteel, Guild Wars, Lineage, Lineage II, and Tablula Rasa.

The complaint seeks to recover damages for the infringement and asks that NCsoft be prevented from infringing on patent 690, which covers scaling. Based on NCsoft's headquarters in Austin as a source of the infringement, the complaint was filed in the Eastern District of Texas, Tyler Division.

Worlds.com Inc. v. NCsoft Corp is Civil Action No. 6:08-cv-508. You can download the PDF of the complaint [here](#).

For more information, check out our [Worlds.com v. NCsoft update](#).

Posted at 00:35 AM in Legal | [Permalink](#)

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Listed below are links to weblogs that reference [Worlds.com Files Suit Against NCsoft for Patent Infringement](#):

Comments

Talk about ridiculous. What's next suing everyone from M 59 to modern mmo's? The suit claims multiple mmo's who use differing server architectures and client architectures are all patent infringements? Not to mention the patent was made to be broad. Probably specifically for this purpose. I hope there's a counter-suit for legal fees, time and effort, and attempted public discrediment of the company.

Posted by: Chris Hurley | [December 29, 2008 at 01:48 PM](#)

The suit states the patent was issued on Feb. 20, 2007. The patent is not valid as prior art existed prior to this issuance and the patent office failed to do due dilligence (as it often does) in ensuring this. The games, not just of NCSoft, but every MMO publisher (Blizzard, Sony, Mythic) all predate the patent issuance, in many cases by a decade (for EQ and Ultima Online). The suit will be thrown out and the patent rendered null and void. I would urge NCSoft to countersue for defamation and legal fees.

Posted by: Thom Mathes | [December 29, 2008 at 02:33 PM](#)

Well, it was filed in the year 2000, so it might be that prior art is hard to come by, unless some judge is made aware that this methods were implemented in the first M.U.D.s, that's plain text Multi User Dungeons, played by Telnet in the old computing ages.

Posted by: Gedece | [December 29, 2008 at 03:16 PM](#)

The infringement accusation does seem extreme. As previously stated, the patent age is too young to encompass the entirety of NCSoft's games. If the lawsuit covers any of the games, it might have precedence on Tablula Rasa. If NCSoft can prove that the system was implemented before the patent was made then the lawsuit could be thrown out. I think what World Inc. is trying to

prove is that NCSoft knowing and willingly infringed the patent during the pending patent process. Either way, it should be interesting to see the outcome.

Posted by: John Surette | [December 29, 2008 at 03:30 PM](#)

The lawsuit is pretty much standard patent infringement litigation language. No real surprises in it. And at least they aren't claiming wilfull infringement, which means treble damages and attorneys fees.

The original parent patent application, which determines what is prior art, was filed in 1996. That does pre-date the modern MMORPG.

This is how patents work. The first one in the queue gets broad coverage, and everything afterwards is considered an improvement on it.

What one cannot tell from just reading the patent is what the applicant said to the Patent Office to get it approved...that is available to the public, and it limits the breadth of the patent's coverage.

The patent is presumed valid unless NCSoft can prove otherwise, and that is hard. This should be a very expensive battle, and could cost millions of dollars to defend. The typical response is to pay a royalty to make them go away.

Posted by: Vicky | [December 29, 2008 at 04:57 PM](#)

this is compleatly rediculas they wont win and they will be loseing big the patants should just be voided for trying this stunt they are just doing this for the press

Posted by: kenter | [December 29, 2008 at 07:11 PM](#)

I guess when their stock is down to .19 cents a share, they need to take desperate measures to make money.

Posted by: Jonathan | [December 29, 2008 at 08:43 PM](#)

Posted by: Sue Baskerville | [December 29, 2008 at 09:27 PM](#)

If they'd make that new version of Worlds that's been advertised on their web site for years maybe they'd have a source of income other than litigation.

Posted by: Sue Baskerville | [December 29, 2008 at 09:34 PM](#)

What i would love to know is what moron approved this patent? its like putting a patent on the wheel....what the heck? are they serious? all the major mmo companies lawyers are gonna have a field day with this one, ittle be the biggest ass kicking fiesta of all time.

Posted by: sdwinder | [December 29, 2008 at 10:15 PM](#)

Posted by Vicky:

"The original parent patent application, which determines what is prior art, was filed in 1996. That does pre-date the modern MMORPG."

Actually, there is probably plenty of art on this prior to Nov. 12, 1996, the filing of the original patent claim. Some MMOs that are probably prior art, off the top of my head:

Air Warrior on GENie, launched in 1986-87 on the Mac and subsequently launched on various platforms, including PC, Amiga and Atari ST, before 1993;

Habitat on QuantumLink (an early incarnation of AOL), first available in beta test in 1986, later became Club Caribe on QuantumLink in 1988. This is the game that probably sinks the patent all by itself, as the drawings in the patent match the interface of Habitat fairly closely and the architecture and claims pretty closely match how Habitat worked (anecdotal from memory; I was with AOL in 1988-89);

The original AD&D Neverwinter Nights on AOL, launched 1993;

MultiPlayer BattleTech on GENie, in open Beta test on GENie in 1992, launched in 93, uopdated and put on AOL in May, 1996;

AD&D Dark Sun, launched on TEN in mid-1996;

Ultima Online: public Alpha and Beta test begin in May, 1996, with the distribution of the client to hundreds, then thousands of players. Not sure if this counts, since the game didn't launch until Sept. 1997.

Meridian 59, launched by 3DO to the Internet in August, 1996.

Posted by: Jessica Mulligan | December 29, 2008 at 11:43 PM

For once you have paid him the Dane-geld, you never get rid of the Dane. -- Rudyard Kipling

Posted by: Wanderer | December 30, 2008 at 02:33 AM

Patenting software... Rediculous concept in the first place.

But as long as there's money at stake and the system is open to abuse, things like this will keep happening.

Posted by: Casey | December 30, 2008 at 08:23 AM

Sounds to me like a sinking company just looing for some cash to stay afloat.

I agree this patent is stupid. it should be tossed out of court and NCsoft should counter and put the final nail in this washed up companies coffin based on principals.

Posted by: Tommyd | December 30, 2008 at 09:20 AM

Their claim is not a patent on MMORPGs but on a method for scaling them to handle the massive number of people using them. Let's face it, some of the early MUDs on Telnet and Compuserve were not handling nearly the kind of traffic or complexity of interaction successful modern day virtual worlds do.

If they came up with a novel way to handle that scaling, it might be worthy of a patent. Don't dismiss every patent just because it sounds silly after the news media has dumbed it down into a sound bite.

That said, I haven't read the patent or complaint. It could be completely stupid, but I'm not going to judge just based on a story.

Posted by: Greg Bulmash | December 30, 2008 at 09:47 AM

Some related cross-links:

My own - <http://tinyurl.com/wordballoonpatent>

and

<http://www.brokentoys.org/2008/12/29/our-legal-system-continues-to-suffer-from-random-drooling/>

Posted by: F. Randall Farmer | December 30, 2008 at 10:31 AM

Anyone remember about the PanIP Lawsuits back in 2002-2004? PanIP claimed to have owned patents for e-commerce systems, which basically any website that had a shopping cart required licensing. PanIP went after many small business websites to help build up its case and money to then go after bigger companies. Thankfully, 11 defendants pulled together and defeated PanIP.

This lawsuit by Worlds.Com is just like the PanIP case.

If you are interested, please review the following links, or search the web with the words: PanIP, patent, youmaybenext (the defense website no longer in use)

<http://www.infoworld.com/articles/hn/xml/02/05/15/020515hnpangea.html>

http://wps.aw.com/aw_laudo_n_ecommerce_1/1/373/95676.cw/index.html

<http://www.itworld.com/040330panipsuits>

Posted by: Hamilton | December 30, 2008 at 10:38 AM

Research reveals that this company, Worlds.com, has been around for a long time (<95) and were one of the founders of multi-user graphic online domains. I couldnt find much in the way of financials but I would imagine based on my experience working in start up companies that maybe 10s of millions have been invested to develop this particular flavor of a virtual online player/browser.

If one accepts these facts, it seems a bit more valid that several (or many) of the multi-million dollar corporations profiting from client-server architecture patented more than a decade previously should be accountable. After all, its not the case that many of these companies (ie Blizzard, Sony, Mythic) are giving their software away either.

The intricacies of the patent will be argued by very brilliant legal minds at a later date (if it goes to trial). From what Ive heard from layers over the years regarding patent law it is one of the most complex and challenging divisions of law. IMHO, this particular case doesnt seem to be the proverbial "Patent Troll" as the company has been around for ever.

Posted by: vetted | December 30, 2008 at 02:12 PM

That is all well and good, however, the technology of such MMO platforms (even in 3d format) have existed before the patent was submitted in 1996. Meridian 59 is one example of this, Alpha in 1995 and released in 1996; along with the other list of examples as pointed out by sdwinder from above.

Additionally there are prior written articles, presentations and works about such environments and it will be interesting if there is any additional copyright or patent infringements, not by the other companies, but by Worlds.Com

Hard to have a process patent when the work has already done before submitting.

Posted by: Hamilton | December 30, 2008 at 04:27 PM

With all due respect, citing prior art is not sufficient to dispute the nuances of a software patent of this type. In fact, my observations were mainly directed towards the apparent emotional uproar this thread contains as opposed to any debate over the legalese which would quickly reveal my ignorance in such matters.

I am certainly not an evangelist for corporate power brokers but my interpretation (after digging around a bit) yielded a rather polar conclusion to some of the more 'flamey' posts in that:

1. Worlds seems to be a pioneer in the industry.
2. They have been in this for the long haul.
3. They are a small company seeking their due from the titans in the industry.

Thats all...

Posted by: vett | December 30, 2008 at 07:44 PM

@vett: On the other hand, it's not uncommon these days for patent trolls to buy up small companies that have potential early patent claims, but haven't managed to do well with them so they can use the patent claims to extort money from the companies that actually invested enough to make the ideas work.

For mmorpgs one of the most important factors has always been a commitment from the creators to constantly improve the game. Games that don't get that kind of support tend to fail. And in one form or another, almost all the 'new' computing ideas are old ideas from the 60's and 70's. Really.

Posted by: Thassa | December 31, 2008 at 04:29 AM

This is what we get with that stupid "software patent"... someday someone is gonna ask for ownership of the right click or whatever.

This is simply non sense, their patent is very broad and general, pretty much as saying "I describe a way to move from point A to B".

Top of that, several MMO's prior their patent...

Posted by: Startide | December 31, 2008 at 04:44 AM

Interestingly, Active Worlds is not named in all these discussions. Being online with their first massive multi-user 3D environment since 1995, they predate most of what is being said at the moment. I also agree with Thassa, "Dungeon" and StarTrek on the 1970s University VAX/VMS systems were already there, and from Holland, we played against Boston University for instance.

Posted by: Pierre | December 31, 2008 at 04:58 AM

<http://knol.google.com/k/dv8-org/worldscom-a-history/2pp40c68ytz4j/2#>

a lot of ill informed people posting but here is an url to help the next posties (is that even a word?) anyway here it is, history of worlds and associated development including the following info.....

1995

Ron Britvich joined KAW. He worked on the AlphaWorld (renamed Active Worlds) project inside KAW, along with the "official" product Worlds Chat. KAW was renamed as Worlds Inc. Lynne Ann and Danny Viescas joined Worlds Inc. as avatar and object makers, David Leahy was the Integrator and Producer for Worlds 1994 -1997. He developed Cyber Oz City

<http://knol.google.com/k/dv8-org/worldscom-a-history/2pp40c68ytz4j/2#>

Posted by: khz | December 31, 2008 at 05:20 AM

That's interesting, as it seems that Worlds.com's own activities in 1994-94 may invalidate its patent.

Anyone have more details about what they released in 1994-95?

Posted by: Rick Lee | [December 31, 2008 at 07:02 AM](#)

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Virtual Worlds News

December 29, 2008

Worlds.com Files Suit Against NCsoft for Patent Infringement

On Christmas Eve, [Worlds.com](#) filed a complaint against [NCsoft](#) for infringing on its virtual world and MMO patent. Worlds.com, which was one of the early virtual world developers from the '90s, made waves earlier this month when it announced that it had selected an intellectual property firm to defend its two patents related to scaling virtual spaces and enabling users to interact and chat in 3D environments.

Specifically, the suit claims that NCsoft has infringed on patent 7,181,690, "[System and Method for Enabling Users to Interact in a Virtual Space](#)" through its games, including City of Heroes, City of Villains, Dungeon Runners, Exteel, Guild Wars, Lineage, Lineage II, and Tablula Rasa.

The complaint seeks to recover damages for the infringement and asks that NCsoft be prevented from infringing on patent 690, which covers scaling. Based on NCsoft's headquarters in Austin as a source of the infringement, the complaint was filed in the Eastern District of Texas, Tyler Division.

Worlds.com Inc. v. NCsoft Corp is Civil Action No. 6:08-cv-508. You can download the PDF of the complaint [here](#).

For more information, check out our [Worlds.com v. NCsoft update](#).

Posted at 09:35 AM in [Legal](#) | [Permalink](#)

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Comments

The very first "System and Method for Enabling Users to Interact in a Virtual Space" was MUD. Not "a MUD", "the MUD".

It was running on the Essex university servers, and was written by Richard Bartle (who is a well known and respected professor). And it was closed down on those servers in 1984! It was actually made in 1979. It still exists somewhere, and its successor MUD2 is (still) running strong which was released in 1985. I used to play MUD2 a hell of a lot (back in the days of 14k modems and 5 billion pound phone bills).

Posted by: David Edwards | [January 02, 2009 at 03:37 AM](#)

I installed Worlds.com Chat on systems we used to demo at the NYVRMLSIG I ran in 1995.

as stated, most posting here have no idea of the history of vr worlds and 3d.

BTW- the patent of most interest seem to be related to 3d, not 2d represented- spacial chat and scaling methods. I doubt such methods were used by most "prior" art mentioned here..

That said, I do believe "method patents" for software like these should be eliminated. One clicks and all.

Cube3 did many prototypes for many corporate clients from 1993-6 that used 2d-3D, chat, avatars and layouts of interface that resemble the ones shown by the Worlds Patent App. One project was a net based Interface for Kesmai games, via the Delphi/Fox internet service. Air Warrior may be the oldest 3d game released that I can think of that may have merit as prior art. but i have no evidence of how/ or if they scaled the 3d data represented to a many user space.

And btw- we used "balloon" talk over a 2d/ 3d hybrid interface on that FOX /Delphi project in 1994:)

NWN, habitat, etc were all 2D media. I do not beleive they directly -other than concept- affect the methods as layed out in the patent claims i saw.

anyhow-- back to the blog show.

c3

Posted by: [lr](#) | [January 02, 2009 at 11:55 AM](#)

This is rather lame and pretty much hits on everything online as of now. If anyone has actually read the patent you will see this in full brightness! Luckily for games in the mmo industry, the only database related information being submitted and released from the game itself normally is nonstatic based information. In the patent it claims the environment would come from a serverside database including backgrounds etc. If this were the case then no mmo, including Tabula would be in violation since the graphical engine represents the 3d environment and not a database housing the information. The games are far more advanced then what is mentioned in this mid 90's attempt for a virtual world. If I were NCSoft i would position this case towards the gaming industry and not the virtual 3d chat industry. Tabula Rasa is a game, it has things you must accomplish in order to grow. Through interactions you do so in order to complete what you must do in order to survive the game. In worlds.com patent its geared toward a simple 3d chat system, something in which is in its own category completely. I have never once thought any chat system to be a game. When I log on AIM I dont think "yay, its time to try and level up my paladin and just maybe i can chat with my best buds too!".

Posted by: [Stevey Mac](#) | [January 03, 2009 at 09:25 AM](#)

The prior art that predates all of these is the Plato system designed at the University of Illinois in the 70's. It had forerunners of all these games. (It is where the word Avatar in the context of an online game came from). They had Dungeons and Dragons, Flying games and Avatar). There is a group of people who have set up a Plato system and it is accessable for everyone to see.

Posted by: [Phil G1](#) | [January 05, 2009 at 12:55 PM](#)

My father wrote a book about Ultima and Everquest a few years ago, and I have the scans here of the original design documents, dated 1998, which show images and descriptions like the Patent described. If NCSoft wish me to forward it to them, I'd be happy to do so!!

Posted by: [Phillip](#) | [January 06, 2009 at 03:11 AM](#)

full patent for the bored peopel

<http://patft.uspto.gov/netaagi/nph-Parser?Sect1=PTO2&Sect2=HITOFF&u=%2Fnetahtml%2FPTO%2Fsearch-adv.htm&r=60&f=G&l=50&d=PTXT&s1=6,219,045&p=2&OS=6,219,045&RS=6,219,045>

Posted by: [D](#) | [January 06, 2009 at 07:10 AM](#)

The release of UO to external alpha users under an NDC pretty much invalidates this entire patent application. Good Game.

Posted by: [Zach](#) | [January 06, 2009 at 12:06 PM](#)

Good basic rule of thumb for software patents is that they are, indeed, crap. The people they have working for the patent office are too dumb to hold down any kind of job working with technology of any sort, including say the lever or the wheel. As a result anything that comes across their desk asking for a patent gets approved.

Often this gets further screwed up by the legal system where it is assumed that if you can be an expert on the law then you must be an expert on everything and need no further assistance in making a technological decision.

The only answer to this sort of thing is for all the MMO companies to get together and defend the suit vigorously and attempt to prove a willful filing of an improper patent. A shame that the individual who allowed that patent is exempt from being sued under the "gross or willful negligence" concept to put a stop to the rubber stamping process.

Posted by: [Mike Hilsher](#) | [January 06, 2009 at 12:33 PM](#)

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Virtual Worlds News

December 29, 2008

Worlds.com v. NCsoft Update

Earlier today we reported that Worlds.com had filed a complaint against NCsoft for infringing on its patent for enabling users to interact in virtual spaces. When the company announced previously that they had selected intellectual property law firm Lerner David Littenberg Krumholz & Mentlik LLP, to represent Worlds.com's interests, they explained that they would soon begin contacting representatives throughout the industry. '

When asked if this was just the beginning, LDLKM's Stephen F. Roth, who is serving as lead attorney, demurred: "I wouldn't call it 'starting with NCsoft,'" he said. "It is a very robust patent."

Indeed, others in the industry appear to be concerned. While Roth confirmed that no other complaints had been filed or companies contacted, some observers are taking proactive steps.

"It's likely that other companies will be receiving contacts. A number of people have inquired about it, whether or not they've been contacted," explained James Gatto, IP Section Leader, Pillsbury Winthrop Shaw Pittman LLP. "It's helpful to know ahead of time when there are patents like this. If there's a change you can make to your system to avoid infringing, many times it's better to make the change. If you've been using the system for several years and then change it, there are potentially still several years of past damages."

If the case proceeds to litigation, it may be one to watch. Patent cases will generally involve each side arguing the interpretations or validity of the claims involved. If they're upheld or rejected, the interpretation could affect future cases.

Roth said that the Worlds.com had no particular reason for filing its first claim against NCsoft as opposed to other companies. He merely noted that they had investigated many technologies and games and that NCsoft's, like Lineage or City of Heroes, were covered by the patent.

He added that Worlds.com is looking for a swift resolution, and Texas, where NCsoft has offices and the complaint was filed, has a sophisticated patent court.

Gatto pointed out that Texas may offer other advantages for Worlds.com.

"Being a foreign defendant in Texas is not a pleasant thing," he said of NCsoft, which is primarily a Korean company. "The juries are, many would say, biased towards American plaintiffs and have a propensity to offer high damages. Some defendants might view them as an unfriendly jury and it might make the defendant more likely to settle."

Many observers have speculated that since Worlds.com's patent was only granted in 2007 and filed in 2000, there may be too many examples of prior art, including NCsoft's own games, for the patent to stand. Roth explained that the patent itself is actually continued on from a much earlier filing date, November 13, 1995, putting it ahead of NCsoft's founding in 1997.

It's not clear what will follow--NCsoft likely won't be served until the new year and then will have 20 days to respond--but Gatto observed that this is likely only the first of many claims. While General Patent Corporation, which represents Worlds.com, Chairman and CEO Alexander Poltorak previously speculated that everyone from World of Warcraft to Second Life could be in violation, Roth declined to lay out future defendants.

"I'm not at liberty to disclose what other companies I believe come within the scope of the claims," he explained. "I think it is a very broad and robust claim, managing both bandwidth and the display and interaction of avatars in

virtual worlds and massively multiplayer games."

While Roth said that NCsoft had not been contacted previously for licensing opportunities, he added that Worlds was open to hearing from them.

NCsoft, whose Austin office is currently closed for the holidays, has not responded to repeated requests for comment.

Posted at 05:04 PM in [Legal](#) | [Permalink](#)

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Comments

Hmm... it is getting more and more interesting. I can't wait for Worlds.com to file against Blizzard Entertainment or their parent company "Activision Blizzard", file against EA (for Ultima Online :p), EVE, Second Life, etc.

How about Korean and Chinese made Virtual Worlds? I wonder...

Posted by: [JC John SESE Cuneta](#) | [December 29, 2008 at 10:34 PM](#)

They won't. This will get dismissed under prior art. The patent doesn't define any specifics, even under MMO standards. It doesn't define any client/server details or any centralized server at all for that matter, thus even old games like Doom fall under this umbrella. If you played a game via dialup 9600 baud modem with an old friend back in 1994 when Doom came out, you are in violation of this patent. Ron Paul!

Posted by: [Pac](#) | [December 29, 2008 at 10:48 PM](#)

They just want to get free massive exposure because these companies have taken all the limelight of the virtual worlds market.

Posted by: [Jak](#) | [December 29, 2008 at 11:11 PM](#)

The concept of all their enablement technologies for MMOs aren't specific at all so they do cover precedents, which, IMO, should've been taken into consideration in the evaluation of the patent application.

It's a US patent, so I guess it only covers those games or wares that were created and/or operates in the US. I wonder how things will look when they run into Blizzard.

Posted by: [Anth](#) | [December 30, 2008 at 01:31 AM](#)

this is uttermost ridiculous. The complaint is so vague and general that every game with an online modus is in danger. I should go to America and file a patent on a concept of breathing oxygen and then file complaints against all people doing the same. worlds.com makes inferior games and is just a sad, jealous bunch of losers.

Posted by: [Orpheus](#) | [December 30, 2008 at 04:18 AM](#)

It will get dismissed as there were many other online games using this concept long before they even filed or even existed. If it was my court I would flip the bill and make them pay for wasting tax dollars. Like many cases in the states the whole court system there is a circus

Posted by: [Ren](#) | [December 30, 2008 at 02:01 PM](#)

I guess they aren't ever going to produce the updated version of Worlds they've been promising on their web site for so long.

Posted by: [Sue Baskerville](#) | [December 30, 2008 at 04:18 PM](#)

I think Worlds is having financial difficulties (like who isn't?). They had over a year since the patent was official, and now they do this, during a recession.

Let's check some things here...

Ah yes, their stocks are down at 0.20 and they want a swift decision from the court. I remember a similar situation with SCO going against IBM. If it turns out to be the same, everytime the stocks need to be jump started, Worlds will file a lawsuit against someone else.

I suspect NCSoft won't be by itself on this one. Other companies are likely to form an alliance against Worlds. And to think this will be swift... maybe in Texas, but not when this case goes to federal appeal process.

Posted by: RuleBook-Lawyer | [December 30, 2008 at 04:41 PM](#)

If you want prior art, look at Kesmai's online WWII air-combat simulations on the GENie online service -- Air Warrior, SVGA Air Warrior, Air Warrior for Windows, Air Warrior II, and Air Warrior III. The first version was released for the Mac, Atari ST, and Amiga in 1986 and when I started playing SVGA Air Warrior in 1990, it had a 24-plane view limit -- the server and client would only pass data on 24 of the closest planes for your client to render, and you could literally be shot down by planes that the server and client kept invisible to you (not deliberately -- because this was over dialup lines, the juggling of what planes you could and couldn't see didn't always keep up with their maneuvering in the air around you).

Rendering limits have been in place for all of the online WWII air-combat sims I have known -- besides the versions of AW listed above, there has been Confirmed Kill, Warbirds, and Aces High, all of which were designed with view limits to control the rendering load on the client.

Posted by: Sean | [December 30, 2008 at 08:09 PM](#)

Looks like Worlds.com would be knee deep in you-know-what after MMO fans around the globe are done with them. Just trying to sue Blizzard might spell arson around Worlds.com's offices. I dare not imagine what would become of them.

In any case, analytically speaking, reports such as these are bad for international investments. If American companies keep on suing International companies, international investors would dare not go near the United States. I mean, c'mon people, wasn't Nintendo sued last time? Now NCsoft? Really, a bill needs to be passed against stupid patent cases such as these.

Posted by: Arc | [December 31, 2008 at 12:58 AM](#)

To the Worlds.com owners, employees and everyone buying services from them: Stop beeing stupid. As Sean says: Companies will stop releasing software in the US. The asian and european market is larger in total, so do software companies really need the US market? Don't think so...

Posted by: Arnt | [December 31, 2008 at 05:04 AM](#)

Heh, I developed MMO games confirmed kill and Warbirds using their claimed method before worlds was even around, before ultima online etc..

If they first filed in Dec 1995, we were already online and had paying customers by that time using those methods.

Kesmai's air warrior was doing it in the 1980's. EA owns that IP now.

I now develop WWII online.

If they come after us I'll definitely be showing prior art from as far back as the 1980's for them.

Posted by: John | [December 31, 2008 at 09:05 AM](#)

World.com is a patent troll. I hope that the rest of the industry buries them in amicus briefs and that NCSoft counterclaims and World.com goes out of business as a result, a fate richly deserved by all patent trolls.

Posted by: Charis P | [December 31, 2008 at 12:47 PM](#)

This is why we (the consumers) can't have nice things. If worlds.com was more than a fleck of dirt on the ass of a camel wandering in the most remote regions of the Sahara, I would actually give two shits about this claim. Unfortunately due to economic hardship and the former I can only afford a half-shit and a hearty "fuck you" to the patent trolls.

Posted by: Justin Bailey | [December 31, 2008 at 02:15 PM](#)

Fail patent is fail. This sort of thing had already fallen in the public domain thanks to MUD's from the 80's.

Should never have been granted.

Posted by: Ramenth | [January 01, 2009 at 10:07 AM](#)

GG Worlds. Wait until Blizzard steps in to help NCSoft....You are screwed.

Posted by: Michael | January 01, 2009 at 07:33 PM

That a patent like this can be granted in 2007 is a sign of how drastically broken the US patent system is.

Even if you buy Worlds' argument that their patent application originally dates from 1995, it's public knowledge that the first MMORPG was Neverwinter Nights, which was invented in 1989 and went live in 1991, pre-dating the very inception of Worlds.com Inc. by 4 years. Furthermore, the 1985 multi-user chat space Habitat is widely known and lauded as the first software to allow virtual representations of people to interact on the internet. This concept was elaborated on by Neal Stephenson in his 1992 book Snow Crash, which actually describes the content of Worlds.com's patent in a great deal more detail than the patent itself.

Also, in a deliciously ironic twist, Worlds.com's patent application refers to the representations of people in virtual space as "avatars," which would not be possible but for the work of the Habitat programmers who had coined the term a decade previously.

Posted by: Lindsay K | January 02, 2009 at 11:05 AM

I hadn't even heard of Worlds.com before this. No publicity like bad publicity eh?

All they have succeeded in doing is showing the world what a bunch of moneygrabbing...people, they are.

I really do hope they try this with the bigger companies like EA or Blizzard, they will stand no chance

Posted by: Rob H | January 02, 2009 at 06:59 PM

please, paladin of justice, start a legal action to entire world!

start a legal action to all 3d virtual worlds (chat)community, start a legal action to all the publisher an developer of all the virtual world MMORPG, start a legal actions against everyone!

AAAAAAAAAAAAAAAAAAAA

and one question... worlds.com? who the hell are you? never heard before, never played with your productions, never visited you website before...

publicity (ref to "rob H" post)?

I don't think so, is something ridiculous is not publicity...

speaking honestly, world.com have the patent from 2000 and only in 2009 (ps happy new year to all :D) they comes out and say "oh, sir, we got a patent on avatars and virtual words, I'll start a legal action against you..."

please be serious...

best regards

Posted by: Onef | January 03, 2009 at 01:21 AM

It's doubtful that Blizzard will come to NCSoft's rescue on this, since NCSoft's major success is Guild Wars, a project started by ex-Blizzard employees. Indeed, starting with and winning a suit against a "small fry" makes it much easier to win against the big fish.

We as consumers really need to reform the USPTO when it comes to software patents. I mean, the lack of significant 3D hardware was probably the only reason why 3D avatars hadn't been implemented (to the same degree they are nowadays) by 1995, but every other part of Worlds.com patent was already implemented well before that. Patents should be granted on novel ideas beyond the obvious.

For example, the telegraph is a signaling method using a wired transmission mechanism. Extending that transmission to radio waves should not be patentable, or, if wireless transmission is patentable, should apply to all wavelengths such as IR, microwave, X-ray, etc. (in which case, Paul Revere's "one if by land, two if by sea" signal method could be considered prior art for signaling using visible spectra of electromagnetic waves).

Posted by: Andre P. | January 03, 2009 at 04:41 AM

Patent trolls -- like this company -- make me ashamed to be an American.

Posted by: Balasarius | January 03, 2009 at 09:04 AM

I think Worlds is hoping to set a precedence with NCsoft. If they can then pretty much any game with in game chat can be sued. I guess it's foolish to try to open up with someone like blizzard as they have the mooney to take care of themselves.

Posted by: Anon | January 03, 2009 at 04:01 PM

Worlds.com is a sweaty, degenerate company. Don't take anything they say or do seriously.

Posted by: Anonymous | [January 04, 2009 at 01:13 PM](#)

NCSoft is a billion dollar company, they make almost as much per year as Blizzard do, so legally they can afford to do whatever it takes to fight this.

The problem, as stated by the lawyer, is that the Texas court is biased towards US companies, which means NCsoft is facing a fight before it even gets into the courts.

However, you would have to be really stupid to not see that this patent isn't valid and the only thing that it will do is crush the American MMO industry (as it can't affect anything operated outside the USA).

Posted by: Anonymous | [January 05, 2009 at 01:56 AM](#)

Blizzard is the biggest american supplier of MMO's with World of WarCraft. I hope Michael Morhaime and Frank Pearce (both are Blizzard's co-founders) know how to handle these assholes

Posted by: [Brandon](#) | [January 05, 2009 at 02:29 PM](#)

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Virtual Worlds News

December 11, 2008

Worlds.com Hires IP Firm for Licensing: To Begin Contacting Virtual World Companies "Shortly"

Worlds.com and General Patent Corporation announced today that they had selected intellectual property law firm Lerner David Littenberg Krumholz & Mentlik LLP (LDLKM) to enforce Worlds' patents. Together the two patents currently owned by Worlds describe what sounds like the underpinnings for a wide range of client/server-based 3D virtual worlds, according to the company, if not pretty much all of them. While GPC Chairman and CEO Alexander Poltorak told me that the companies don't have any specific targets in mind, products from Second Life to World of Warcraft could be affected.

"It's a system of managing avatars in virtual worlds," explained Poltorak. "For whoever is working and developing virtual worlds, it's very relevant."

Worlds owns U.S. Patent Nos. 6,219,045 titled "Scalable Virtual World Chat Client-Server System" and 7,181,690 titled "System and Method for Enabling Users to Interact in a Virtual Space."

Together the claims describe systems for tracking the spatial relationships of avatars and objects in client/server systems and managing their interactions as well as how many can be displayed at any given time.

The patents prompted Sean F. Kane of Drakeford & Kane LLC to blog this morning asking, "Does Worlds.com Hold the Patent for the Virtual World?"

When asked for his thoughts on the announcement, Kane explained, with the caveat that he is not a patent attorney, that "given how broad the patents are, they can make claims against a lot of virtual worlds and MMO people. Given the tenor of the announcement, it would seem to me that their intent is either to make claims or to file actions against those they consider infringing."

Poltorak said that the company would "very shortly be contacting various players in the virtual worlds community" to offer licensing opportunities.

"We are looking at various products and evaluating various technologies," he explained. "Our immediate objective is to make these patents available, and we hope that the industry will recognize that Worlds.com has been a pioneer in developing this technology since 1994 and 1995."

GPC is currently prosecuting other patents through the application process that it says are continuations of the original patents for the same technology.

Several IP lawyers declined to comment on the validity of the patents or on whom they might be applied to, though it seems safe to say that we'll be hearing about more activity soon.

"They are aggressive and they attempt to protect their clients rights based on a licensing agreement or litigation," Kane said of GPC. "To the extent that they've hired a firm with extensive and successful litigation history, it would point to litigation. It's difficult to say where this is going to go out at the moment, but it'll be very interesting to watch. It could very well be a watershed moment."

Posted at 02:21 PM in [Legal](#) | [Permalink](#)

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Comments

Pioneers, yes.

I suggest before the "blogger pundits" begin the blog rants and suggest their Second Life/VR evangelist expertise on what this means and request us all to pay for this "knowledge" at another conference...

Google- "Comptons- "Multimedia patents"

<http://vr.albury.net.au/~kathyw/EyePics/compton.html>

There's a pretty good chance that this will be the same game, with the same results.

We should welcome Worlds.com back into the fray, but this way seems.. well.. you decide.

Posted by: [chris](#) | [December 11, 2008 at 03:46 PM](#)

After having read both of the patents involved, I would be surprised if they hold much merit. I would imagine that under greater scrutiny, prior art would tend to negate their validity. For example, muds have used this method for some time prior to Worlds Chat ever coming about. Although the patents tend to suggest a separation between client and server processes, it can be argued that in a multi-threaded mud, such an architecture already had existed, though perhaps not formalized.

Now, when applied towards existing virtual worlds such as Second Life, the architectural definition within the patents seem to be too limited in scope such that SL does not appear to violate the patents. The defined separation between client and server could be shown such that the actions or functions processed by the client are, in Second Life, actually processed by the server.

It will be interesting to see how this plays out in the real world, but I think that the patents are firstly, improper, and secondly, too limited in scope to be applicable. We'll see.

Posted by: [nw](#) | [December 12, 2008 at 09:00 AM](#)

[[Cross Posted from Terra Nova]]

Heh. Turns out this kind of thing is now going on in Europe and Asia with other attempts to enforce virtual world patents filed since the mid to late 1990s.

For the record and posterity, as a pioneer of many of the technologies in the late 80's and early 90s and concepts underlying such claims, I am available as a professional expert witness. In the last year, I have worked on several cases surrounding bogus virtual world patent claims. Most you haven't heard of, because we overwhelm them with prior-art and they die long before trial.

Ask Will Harvey (IMVU) how Forterra tried to shake him down by asserting that they had a patent on the 3D-word balloon in virtual worlds. I had fun providing the prior art for that one! If he'd lost, I'm 100% sure that Blizzard was next in line. [I should really write a blog post up about this one - Will, if you're reading this, drop me a line with the latest status.] As it is, your word balloons are safe. :-)

I've also referred other lame claims off to other pioneers/Terra Nova regulars, such as Brian Green.

Just today I faxed/couriered a witness statement in an international case that's so dumb it makes my head hurt.

Here's the deal - much of the stuff people patented starting in the late 1990s was previously created and not patented because we didn't think you *could* patent software. Lucky thing for virtual worlds this is true.

Patent trolls aren't going to get away with claiming *my* virtual world prior art! I'm a pack rat. I have stuff you didn't even know existed, and I know where I put it. :-)

Randy

Posted by: [Randy Farmer](#) | [December 12, 2008 at 02:32 PM](#)

Good info Randy, thanks for your wisdom, insights and diligent archiving. I would like to catch up with you sometime.
I just sent you a LinkedIn message. You can look me up there.

Geof Lambert

Posted by: Geof Lambert | [December 16, 2008 at 10:20 AM](#)

I founded Worlds Inc. While I like the folks who bought the Worlds Chat piece of Worlds Inc, as has been mentioned there is a ton of prior art, and I too have many unpublished docs as you'd expect. Folks like Mr. Farmer and myself worked hard to ensure that Vworlds would not need to fight a thicket of impediments.

Posted by: Dave | [December 19, 2008 at 01:31 PM](#)

The funny thing about this patent is it does not define Virtual World or Massively Multiplayer.

(Doom 1993) is a virtual multiplayer world where "neighbors" can see other avatars, attempt to kill them and taunt them via text chat. Because this patent is so broad I'm sure that counts as prior art.

Posted by: Pac | [December 29, 2008 at 08:27 PM](#)

The patent they're using for the law suits, issued in 2007, does have valid complaints. Unfortunately, it extends the 1994 patent, which does not.

Read the '94 patent; it relates pretty much only to the ability for a server to determine the maximum number of avatars visible to a player.

That's not a core ability in MMO's. Or DOOM.

Hells, that's not even a tangential ability. If it was, people with bad video cards would lag far less.

Posted by: Ramenth | [January 01, 2009 at 10:17 AM](#)

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ZDNet Government

Richard Koman

December 29th, 2008

Worlds.com patent litigation could ripple through virtual worlds

Posted by Richard Koman @ December 29, 2008 @ 11:54 PM

Remember Worlds.com? The 3D pioneer is still around and they're ready to sue. In fact on Christmas Eve, the company sued NCSoft, for violating patent '690, a system and method for enabling users to interact in a virtual space.

NCSoft's games, such as Dungeon Runners, Guild Wars and Lineage, are all said to violate the patent. And NCSoft is just the start. World.com's IP lawyers feel that they have a "very robust patent," reports Virtual Worlds News.

"It's likely that other companies will be receiving contacts. A number of people have inquired about it, whether or not they've been contacted," explained James Gatto, IP Section Leader, Pillsbury Winthrop Shaw Pittman LLP. "It's helpful to know ahead of time when there are patents like this. If there's a change you can make to your system to avoid infringing, many times it's better to make the change. If you've been using the system for several years and then change it, there are potentially still several years of past damages."

So who's next? Anyone from WoW to SecondLife, potentially. General Patent Corp. CEO Alexander Poltorak emphasized that any system with avatars in a virtual world could be affected.

"It's a system of managing avatars in virtual worlds," explained Poltorak. "For whoever is working and developing virtual worlds, it's very relevant."

As a lawyer and technology writer, Richard Koman brings a unique perspective to the blog's intersection of law, government and technology. See his full profile and disclosure of his industry affiliations.

Email Richard

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Worlds.com patent litigation could ripple through virtual worlds

17 Comments

Reply

1. Quake 3 predates this patent by two years

pkatz - 12/30/08

Quake 3 would seem to run counter to this patent, as would Tribes, and several other online games from the 90s. The core concepts of such online interactions were also presented in the 90s movie Disclosure, and within several books on Virtual Reality.

A worthless patent that will hopefully get swatted out of existence.

Reply

1.1. but.

ellmondo - 12/30/08 (Edited: 12/30/08 @ 03:06)

but that does not mean they patented them. and seeing they already successfully sued another company then it will be easier to take others on and win as well.

Reply

1.2. I don't think...

DCMann - 12/30/08

...any of the games you mention have any actual "management" of Avatars actually happening. Yes, the virtual character exists, but I don't recall any capability to manage storage, buy or sell items, etc.

The patent does not claim any rights to actual virtual characters, but such characters actually being "managed".

Software patent claims get more and more absurd with every one of these patent that get issued. It's obvious that common sense has no place in the modern legal system.

Reply

1.3. My mistake...

DCMann - 12/30/08

..glancing at the patent, it appears to be very broad and it covers just about every aspect (very loosely) of a client / server type MMO and is NOT isolated to inventor or item management. The story is obviously using the term "management" to encompass all interaction the "avatar" has with the virtual system.

I'd say (at first glance), every multi-player game that uses any type of central server could be considered to fall under this patent. Scary stuff that this could get issued in 2007 (it was applied for in 2000).

I think I'll go patent a method for arranging written collections of words based on a numerical ordering system....

Reply

1.3.1. Would not early flight simulators

GuidingLight - 12/30/08 (Edited: 12/30/08 @ 10:15)

used by the Navy and Air Force fall under this patent?

They worked off of similar principles, though were out before 2000.

I think I will patent something myself, looks to be an easy way to make some money.

Reply

2. RE: Worlds.com patent litigation could ripple through virtual worlds

chris.kluis - 12/30/08

It would seem to me that this patent is OBVIOUS to one skilled in the art.

I'm not a patent attorney, but from the classes I took in school - I would agree that this patent is probably on shaky ground.

Reply

3. Prior Art Reference

medezark@... - 12/30/08

Neverwinter Nights (on AOL), 1991; Meridian 59, 1995 (3DO). etc, etc,

Reply

3.1. Hmmm...

DCMann - 12/30/08

...I'd be interested in the details of the item/character management system in that game to see if applies here (not that I know the details of what the "patent" actually protects).

I played the "Gold Box" SSI games for years but never bought into the subscription based extension on AOL. It WAS quite a bit ahead of it's time, but never having played it, I'm not sure if it qualifies as something that could invalidate the patent.

Reply

3.1.1. Prior Art

twaynesdomain - 12/30/08

Unfortunately, prior art does not really negate a patent in any way unless those with the prior art wish to sue the sewer, I mean, suer. Is there such a word? Hmm.

One can easily patent somethign that has been around even prior to their patent application. It takes the holder of the prior art to make it a feasible point of law. And if they don't have deep pockets ...

Reply

4. RE: Worlds.com patent litigation could ripple through virtual worlds

backpacker299 - 12/30/08

We need to do away with software lawsuits like this. Let's leave it to corporate espionage suits. I know this won't make some happy as they'd have to have made software that did these things and done it before everybody else, but seriously, these guys are going to the bank because they have a patent on using avatars in a virtual world. That's just ridiculous. Where do they stop? Do video game consoles become the next targets? How about websites for little kids?

Reply

5. RE: Worlds.com patent litigation could ripple through virtual worlds

JoseTorr - 12/30/08

What about the Virtual world i create when i close my eyes ☺ Is my active imagination Liable Too.

Reply

6. How about end user revolt?

madrucke@... - 12/30/08

I have no problem with a company enforcing it's patents...

However, when and if a company fails to inform and enforce in a timely manner...

Then after a major investment of competitors and end users decides they can make a ton of money by after the fact enforcing their patents...

Perhaps... That should be the last money anything their company ever makes, makes...

End users should simply stop buying stuff made by such carpet bagging privateers.

Enforce Immediately... Or not at all!

With so many patents on record I seriously doubt anyone can create anything anymore without ****violating**** someones patent somewhere...

Ecclesiastes said, several thousand years ago, that there is nothing new under the sun.

So why even try!

So much for innovation! Some of us would be happy to just get attribution!

Mike Sr.
Reply

6.1. end user revolt?

twaynesdomain - 12/30/08

Actually I pretty much agree with you. Unless there is a darned good, proven reason for waiting so long to take action, very often cases like this are labeled as "frivolous", especially when it's something that was common knowledge prior to their patent.

I haven't heard of this one before but I'll bet it comes under the frivolous tag, actually meaning pre-meditated, intentional maliciousness.

Unfortunately too many legal critters don't know their butts from bytes though, so you never know. The trick will be whether they can prove any "damages" due to the infringement. I mean, just look at their name; that's so close to a type of infringement I can't think of the name of right now, that they could be infringing on worldcom's good name already. Let's hope Worldcom notices!

Idiots!

Reply

7. This Patent is a crock

Gumby Roffo - 12/30/08

I think Im going to patent "vagueness" as thats all this cartoon picture patent looks to be about. Supprisingly when you look at the " technology in a worlds environment. Its all 2D pictures posted about a sphere type enclosure and Im still moving about as a alpha cutout of some person. Feels like a shoting gallery and about circa win3.11.

One of the comments I have kept about VR worlds/MUD/MOO/MuSHes is from Mr Bill Machrone, PC Magazine May30 1995 way outdates this patent as a concept:

"If fantasy worlds are too weird for you. Brace your self for the Next Big Thing in on-line services:avatars." & " You get to choose the sex and apperance of your on-line avatar,and it responds to your directions with body movement,gestures,facial expressions."

Gumby

Reply

8. RE: Worlds.com patent litigation could ripple through virtual worlds

kingpin2009 - 12/30/08

As a former Principal Member of the Engineering Staff at Xerox Corporation in the 80's and 90's, I still find it hard to believe that Apple (after Steve Jobs got a look at the Alto Workstation at Xerox PARC) ripped off every good idea PARC invented. Then, after finally putting a useful product together (The Macintosh) and showing the advantages of all of this technology, had the nerve to sue Microsoft over Windows infringing its GUI and basic object-oriented, networked environment technology they obviously stole from Xerox in the first place! Unfortunately, and I can tell you because I was there, Xerox wound up getting royally screwed, almost all of the key technologies wound up in the public domain, and everyone using any kind of modern computer is using a GUI, a pointing device, networked servers of all decriptions, from printing (WYSWYG), FAX on the net, file servers, authentication servers, et el. All stolen from Xerox, and which were more well integrated in 1988 than they are now. I can't see something as obvious as an avatar being concrete enough to hold legal water. The idea of an alter ego acting on your behalf is as old as Superman oomic books. Let's go forward with what we know, for the sake of the evolution of human intelligence! Enough litigation, let's solve the big problems by any means necessary.

William Kinsman
CEO Kinsman Engineering Enterprises, LLC

Reply

9. Someone needs to buy up prior IP

AlanO93 - 12/31/08 (Edited: 12/31/08 @ 04:51)

Blizzard has some deep pockets. The simplest way to nip this in the bud might be to go out and license or buy the IP for any one of the NUMEROUS prior art IP's that are out there, and then initiate a pre-emptive lawsuit to try and get the patents invalidated.

A writing gig for William Gibson might not be a bad idea either, seeing that Neuromancer inspired more than a few of the programmers coming up with early versions of this stuff.

I'm sure some of the first muds, including those that started to incorporate graphic elements, could be had for a song and dance.

Ultima online came online September 25, 1997, and I'm guessing Richard Garriott wouldn't be opposed to doing a dollar license for the concept of an online avatar.

Oddly enough NCSOFT's Lineage hit in 1998. Now THAT is rather interesting.

Everquest hit on 16 March 1999.

Taking a peek at the History of MMORPG wikipedia page brought back a number of memories.

http://en.wikipedia.org/wiki/History_of_massively_multiplayer_online_games

Somewhere in there I'm sure the legal mind's at blizzard will unearth something to give these folks a resounding ***** slap, and pull as much of the basic mmorpg concepts into the public domain as possible.

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Input keyword here.



Worlds.com Sues NCsoft For Patent Infringement

Date: 12-30-2008

Views: 6,999

KeyWord: Worlds.com,sue,NCsoft,patent infringement,City of Heroes,Lineage II,Tabula Rasa

Summary: Apparently it isn't a relaxing vacation for NCsoft's Austin headquarters because they received an unpleasant gift on Christmas Eve from Worlds.com.

Apparently it isn't a relaxing vacation for NCsoft's Austin headquarters because they received an unpleasant gift on Christmas Eve from Worlds.com. Reported by Virtual Worlds News, virtual world company Worlds.com filed suit against NCsoft on Christmas Eve, claiming infringement on its patent for user interaction in a virtual space. Worlds.com also has a patent for a second technology common to many MMOs, a system for scalable chat.

On Christmas Eve, Worlds.com filed a complaint against NCsoft for infringing on its virtual world and MMO patent. Worlds.com, which was one of the early virtual world developers from the '90s, made waves earlier this month when it announced that it had selected an intellectual property firm to defend its two patents related to scaling virtual spaces and enabling users to interact and chat in 3D environments.



Specifically, the suit claims that NCsoft has infringed on patent 7,181,690, "System and Method for Enabling Users to Interact in a Virtual Space" through its games, including City of Heroes, City of Villains, Dungeon Runners, Exteel, Guild Wars, Lineage, Lineage II, and Tabula Rasa.

The complaint seeks to recover damages for the infringement and asks that NCsoft be prevented from infringing on patent 690, which covers scaling. Based on NCsoft's headquarters in Austin as a source of the infringement, the complaint was filed in the Eastern District of Texas, Tyler Division.

In the follow-up report, Worlds.com has announced that they had selected intellectual property law firm Lerner David Litzenberg Krumholz & Mentlik LLP, to represent their interests. They explained that they would soon begin contacting representatives throughout the industry. LDLM's Stephen F. Roth, who is serving as lead attorney, said that the Worlds.com had no particular reason for filing its first claim against NCsoft as opposed to other companies. He merely noted that they had investigated many technologies and games and that NCsoft's, like Lineage or City of Heroes, were covered by the patent.

He added that Worlds.com is looking for a swift resolution, and Texas, where NCsoft has offices and the complaint was filed, has a sophisticated patent court.

Getto pointed out that Texas may offer other advantages for Worlds.com.

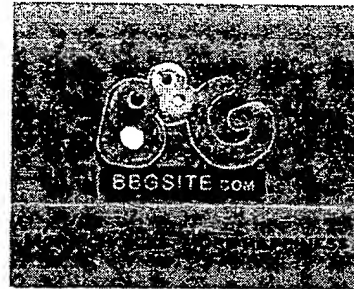
"Being a foreign defendant in Texas is not a pleasant thing," he said of NCsoft, which is primarily a Korean company. "The juries are, many would say, biased towards American plaintiffs and have a propensity to offer high damages. Some defendants might view them as an unfriendly jury and it might make the defendant more likely to settle."

Many observers have speculated that since Worlds.com's patent was only granted in 2007 and filed in 2000, there may be too many examples of prior art, including NCsoft's own games, for the patent to stand. Roth explained that the patent itself is actually continued on from a much earlier filing date, November 13, 1995, putting it ahead of NCsoft's founding in 1997.

It's not clear what will follow--NCsoft likely won't be served until the new year and then will have 20 days to respond--but Getto observed that this is likely only the first of many claims. While General Patent Corporation, which represents Worlds.com, Chairman and CEO Alexander Poltorak previously speculated that everyone from World of Warcraft to Second Life could be in violation, Roth declined to lay out future defendants.

"I'm not at liberty to disclose what other companies I believe come within the scope of the claims," he explained. "I think it is a very broad and robust claim, managing both bandwidth and the display and interaction of avatars in virtual worlds and massively multiplayer games."

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Official Blog Updates

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Screens Of The Day



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Resource : Worlds.com Files Suit Against NCsoft for Patent Infringement

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Relevant News

- Monthly Thirteen1 Feature, Issue 9 Out Now!(12-16)
- NCsoft Departs ESA 2009(12-09)
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- City of Heroes Issue 13: Power and Responsibility Launches(12-04)
- Tabula Rasa Shutting Down in February!(11-22)
- Aion Subscription Fee Announced!(11-20)
- Aion: Amazing Famous Face Collection!(11-17)
- Kavatina Story: CB Approaching (11-14)
- Monthly Thirteen1 Issue Time, Read Your Favorite!(11-13)
- Richard Garriott Leaving NCsoft(11-12)

Player Comments

Latest Most Digged Most Buried

(76 comments)

Before you start screaming "greed", realize this: was the patent in NCsoft's hands, they would sue Worlds.com or any other company in a heartbeat.

The whole patent and copyright system is flawed but for now it's the way the world works. If it's indeed worlds.com who patented the exact idea that someone else is using, well.. bad luck.

Don't misunderstand me: I'm an MMO fan and I would love this lawsuit to fail but I can see NOTHING wrong with trying to get paid for your ideas if they are, indeed, yours.

BK said

01-03 04:11:42

[Quote](#) [+75](#)

quote WoWWarrior content:

LOL!!! thats what happens to companies that clone our Game (W.o.W)!!! Since all mmos are W.o.W C.L.o.n.e.s. Blizzard knew worlds.com had the patent and it was settled long time ago...

What the other companies didn't know was that Blizzard and worlds.com were together in a BIG BIG thing!!! 1st Blizzard makes W.o.W and pays the patent of chatting and stuff to Worlds.gay. Then W.o.W is a success!!! Then all other companies start their W.o.W C.L.o.n.e.s, but they don't know about the patent. After the mmo industry grows high scale!!! and the world is in economical crisis... There comes Blizzard best friend: World.com and sue every W.o.W C.L.o.n.e company!!! And now They gonna rule the world!!!

hehehehehe

Child, please go back to power rangers and barbies.

GUHHH said

01-06 18:19:02

This is retarded, anon must bring justice! /r/! /r/!! I demand it
Ncsoft is THE greatest gaming company ever.

0 0 0

Quote #74

GUHHH said

01-06 18:16:59

Chat* sorry. >~<

0 0 0

Quote #73

Raf said

01-06 11:54:55

I wouldn't be surprised if they sue another company next, since they are
claiming patent on the chat system, hell they might even try to sue xfire!
xD, Why stop there, the WHOLE INTERNET FOR HAVING CAT SYSTEMS! X3

0 0 0

Quote #72

Raf said

01-06 11:54:24

you should go to worlds.com and see what they are doing. Too me they are
PROUD to sue ncsoft.... I will bitch-slap the owner of worlds.com

0 0 0

Quote #71

past said

01-06 11:26:47

<http://www.virtualworldsnews.com/2008/12/ncsoft-to-defend-itself-vigorously-against-worldscom.html>

0 0 0

Quote #70

Keylogger!

NCsoftfanboy? said

01-05 01:54:01

*****s? those words make me all tingly inside. Worlds.com fails, wow fails
with their easy mode 25 man raids, Uldar is going to be easy mode too.
Wow just makes me a sad panda. Hopefully Alon wont be delayed because of this. Greedy *****s suing foreign
companies. say goodbye to foreign investors!

0 0 0

Quote #69

Wow=failsauce said

01-05 01:48:06

pothetic

0 0 0

Quote #68

are you serious? said

01-04 14:33:54

is worlds hating ncsoft or some shit?

0 0 0

Quote #67

they will lose in matter of seconds in court

worlds can suck my balls

the *****? said

01-09 12:33:55

Its funny, world must know nothing about the US Justice system. If there is
a belief of a biased jury. NCsoft could appeal all the way to the supreme
court even.

1 0 0

Quote #66

blackeyes said

01-03 14:12:04

Blizzard is friend with worlds.com i find it dumb that famous game company is working with a no name company i doubt they are working together and to sue Ncsoft for interacting why don't worlds.com just sue all the mmo company for interacting before they gain more \$\$\$ and start going up the companys till they then hit blizzard with 100 of lawers

the chosen one said

01-02 23:30:52

...Hey WoWfanboy worlds.com w ould sue blizzard too if they wasn't rich like ***** and clear you are another moron who don't know what clone means and he hating on Kool and better games then your lame wôw that ppl only plays b/c they are nubs,no-lifes,ppl who can't learn to let go of the ecc, and ppl who are bored to death and wants to past the time. Ohhhh and when you grow up at yours 80 you will then know you have been a Lame moron playing and paying for wôw for up to 70years you find out you could have save up to 1000s of \$\$\$ and when you die you find out you wasted your life on a lame game call Wôw when there is ALot More better games outy there

ThatGuy said

01-02 23:24:58

Games are not fun without violents i will never play a game without violents

... said

01-02 23:17:13

lol..WoW came out in late 2004...EverQuest came before WoW, therefore making WoW an EverQuest Clone....So, you really should be saying EQ Clone you fanboy pieces of shit! Seriously, do your homework! EverQuest been around since 1999. Every other MMO takes after it...just proves every fanboy is a 12 year old! Therefore you don't know what you are talking about!!! Go read your EGM!

mmoking said

01-02 13:45:53

In the love of god, it is a good move to sue the violent games

<http://locator.united-church.ca>

JoJo said

01-02 08:57:24

LOL!!! thats what happens to companies that clone our Game (W.o.W)!!!
*Clone off every game W.o.W C.I.o.n.e.s. Blizzard know worlds.com had the patent and it was settled long time ago...

What the other companies didn't know was that Blizzard and Worlds.com were together in a BIG BIG thing!!!
1st Blizzard makes W.o.W and pays the patent of chatting and stuff to Worlds.pay. Then W.o.W is a success!!!
Then all other companies start their W.o.W C.I.o.n.e.s, but they don't know about the patent.
After the mmo industry grows high scale!!! and the world is in economical crisis... There comes Blizzard best friend: World.com and sue every W.o.W C.I.o.n.e company!!! And now They gonna rule the world!!! hahahahahaha

WoWfanboy said

01-02 01:38:22

sigh If they win it's going to start world war 3

Kalkor said

01-01 22:36:54

The Anonymous are planning a raid.

Anonymous said

01-01 22:35:43

quote WoW Lover content:

YAY sue the wow clones makers

0 0 0

Quote #57

get your facts straight dumbass...NCsoft has no clone of WoW...infact they are almost on the opposite ends of the gameplay spectrum...plus please enlighten us of what game is a *****
WoW was released in 2005...if your clone choice is lineage then you are fuking retarded b/c lineage I came out in 1998..Lineage II followed in 2003-2004, and if your choice is Guild Wars then your life is an epic fail b/c neither of the games are related one is purely instanced game and the other is a persistent world...and if its CoH/CoV they came out in 2004 and 2005 respectively and finally if your clone choice is Aion then you are quite stupid because Aion in a grand scale is a combination of elements from Guild Wars and Lineage (my opinion).....so now please enlighten me on how you claim that NCSoft is a WoW cloning company when clearly all their games released before WoW...

zed said

01-01 20:37:40

Wtf is worlds.com, another failure company I can see who nobody knows about and want some fame (TED) NCSoft name is great when they want

0 0 0

Quote #56

ROFL said

01-01 16:12:04

YAY sue the wow clones makers

0 0 0

Quote #55

WoW Lover said

01-01 14:18:07

I hope NCSoft wins because its not a illegal to have online games and if the judge rules worlds.com the winner I'll be pissed

0 0 0

Quote #54

Mystery said

01-01 13:01:29

Worlds.com just wants to be known.

0 0 0

Quote #53

Jinx said

01-01 10:28:20

In Texas, yeah, they could win. Last time I got jury duty, the car wreck case was dismissed because there wasn't enough jurors out of 35 to hear the case because everyone screamed the guy couldn't speak english good enough.

0 0 0

Quote #52

Irongollem said

01-01 09:17:40

They are going to sue Ncsoft for interacting ... Why don't they just sue ALL the MMO company in the world and it happens to be call Worlds.com Well I wish Ncsoft wins and Show worlds.com that they are acting like little kids

0 0 0

Quote #51

... said

01-01 01:09:56

lol,wtf?theyr suing NCsoft for just the fact that in their games you can interact?that means some1 gave worlds.com intellectual rights for MMO's? just lol,no more,only lol.

0 0 0

#50

mal said

12-31 23:56:56

Hey Guys, I'm gonna patent the "Wheel". If you got cars, carts, toys, etc. be prepared to pay up.

0 0 0

Quote #49

Greedy DorchelBag said

12-31 23:19:07

I think they are doing good by suing them, shows they arent afraid to take on big companies. If they overlook this who knows where they will go next. good for worlds.com for not letting them walk all over them

0 0 0

Quote x48

kingbaber said

12-31 18:09:19

I'm hoping the judge realizes how ridiculous this is and throws it out. Last thing I want is for Alon or any of there up and coming games to be pushed back or halted because of some greedy people.

0 0 0

Quote x17

Hmm said

12-31 17:46:19

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NCsoft Sued for Patent Infringement

By Kris Graft
December 30, 2008

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Mass.-based online company Worlds.com is suing NCsoft for infringing on a patent that seems to lay claim to fundamental aspects of MMO games.

Worlds.com said in its December 24 court filing that South Korea's NCsoft has infringed on U.S. patent 7,181,690, a "System and method for enabling users to interact in a virtual space." NCsoft also has locations in the U.S.

The plaintiff said NCsoft is willfully and deliberately infringing on the patent. "Worlds has been damaged by the infringement by NCsoft and is suffering, and will continue to suffer, irreparable harm and damage as a result of this infringement, unless such infringement is enjoined by this Court," reads the suit (pdf).

The patent in question describes methods to allow a user to "interact with other users in a virtual space" through a server, with an avatar representing each user.

The patent's abstract reads in part, "The present invention provides a highly scalable architecture for a three-dimensional graphical, multi-user, interactive virtual world system."

Worlds.com filed the patent in August of 2000, and the government issued the patent in February 2007. The inventors listed on the patent are Dave Leahy, Judith Challenger, B. Thomas Adler and S. J. Ardron.

NCsoft is the publisher of games including Tabula Rasa, Guild Wars, Lineage and City of Heroes.

Worlds.com dropped a not-so-subtle hint that it would be bringing MMO makers to court over its patents when earlier in December, General Patent Corp., a patent licensing and enforcement firm, announced attorneys Lerner David Littenberg Krumholz & Mendlik LLP would be "enforcing" Worlds.com patents.

At the time, the law firm said it would defend the '690 patent and

another filing, patent 6,219,045, a "Scalable Virtual World Chat Client-Server System."

Worlds.com, which was founded in 1994, is demanding that the court find the patent "valid and enforceable," and is seeking damages as well as a permanent injunction against any infringement of the patent by NCsoft.

Source: Virtual Worlds News



On January 5th tight12327 said:

by the gods! thats just about everyone!
"system and method for enabling users to interact in a virtual space"
Myspace is a system and method used for enabling users to interact in a virtual space.....
and so every game with the words (1-2 players) or above in the back of the box....
BUT HEY! they must really need the money.. i mean i may be a gamer and heavy internet user but the words "worlds.com" is not known to me . What they have achieved in reality is getting worlds.com hated by almost every online/gamer.. (DOT. DOT.DOT)

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On January 3rd ArronC07 said:

In a world where human DNA can be patented I am not in the least bit surprised.

[Login or register to post comments](#)



On December 31st Frood said:

The US upholds its patent laws as first to invent and not first to file so there is hope yet.

On one hand I do find it sad that they are targetting a struggling company and would hope in a show of goodwill that more successful companies that deal in the MMO business create a fighting fund for NCsoft to throw these guys off (if needed of course, Im sure snuffing certain substances off a strippers breast is not the only way to unwind after a hard day at court :P)

On the other hand, patent laws must be respected otherwise why try to invent or innovate if others can just take all your hard work and run with it.

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On January 1st 4thVariety said:

NCsoft is far from struggling. Sure, they closed down an MMO which did not sell, but none of the business reports really indicates that they are in any trouble. Their current IPs easily finance the development of their new MMOs, so if a local law firm thinks NC was weak because they closed a local studio, they are mistaken.

The whole thing now reminds me of "Microsoft vs. Immersion". Sony also released the Dualshock in 1997 and lost to Immersion regardless, although their patent was filed in 1998. Worlds.com could have picked a bigger fish, but maybe they were looking for a company that was likely to settle in order to hurt its competitors later. Much like Microsoft did to Sony in the end of the Immersion trial.

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On December 30th 4thVariety said:

Doom predates those patents, as well as most MUDs. Same goes for those bandwidth limiting "technologies" covered by the patent. Sounds more like the company owning that patent is in financial troubles and desperately tries to rake in some money.

Sure, hire some lawyers and they will say you can win such a trial, but then again, they get paid anyway. They would say you could sue water for being liquid. Liquids as you should now are covered by my "non solid aggregate patent". Covers gases and plasma too.

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On December 30th Peter_Pasic said:

Very good point. I just read the summary of the patent, and half of it sounds a lot like what any online shooter does. Quake was the first FPS built for multiplayer over the internet, and the source code is freely available fro Q2 and Q3 under license, so I can't see how keeping track of user positions and what textures to load in the environment depending on position is an idea owned by this company.

Id should sue these jackasses, but they probably don't have any patents, since innovators and the people that actually push technology forward are too busy bringing their ideas to reality than filing patents for generalized bullshit.

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On December 30th Mikail Yazbeck said:

A curious pattern of lazy patent holders suing companies for actually doing something with a similar idea is quite sickening.

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On December 30th Bilstar said:

My god though... IF the patent is enforced, and IF Worlds win the case, then they have potentially got themselves some kind of control over every game of this kind! World of Warcraft, Playstation Home? I haven't read the patent itself so maybe it's something VERY specific against NCSoft or it's games. But if not, there's obviously no way that worlds will get what they're asking for. No way.

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On December 30th Peter_Pasic said:

The Patent system is outdated. In my opinion software engineering is more like literature/film where there's no way to copyright a general concept/premise/etc, but the specific implementation is what is protected.

It's really sad when vultures like these try to take advantage of the hard work and talent of people in the industry.

I wonder if I the patent for: "File a general software patent with no implementation or hard work completed, and sue successful companies whose product fits the patented generalization" has been filed? It'd be nice to turn the tables on opportunists like these.

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On December 30th Rob_Jackson said:

There needs to be a serious review of the skills of patent clerks in light of this and several other ridiculous patent claims. It seems that almost anything creative that can be put into use with a computer has a patent troll waiting in the wings to pounce. Let's not forget, the panning of computer pixels is patented by Atari.

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On January 3rd flaxx14ever said:

I agree, if you there are some seriously stupid patents out there, such as this patent for a wood-based or wood-composite animal toy: <http://www.google.com/patents?id=hHYJAAAAEBAJ> (hint: it is a stick!)

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Legal Issues
by Mike Masnick
Tue, Dec 30th 2008
10:49am

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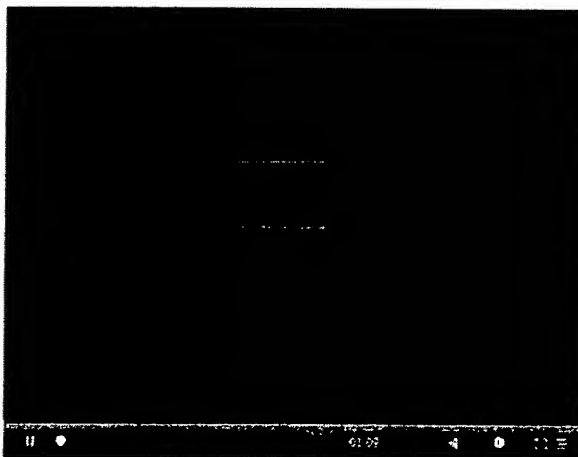
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patents, virtual worlds
Companies:
general patent
corporation,
worlds.com

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3D Virtual Worlds Patented! Lawsuits Started...

from the *oh-come-on...* dept

It seems that the ridiculous patent holders are trying to go out with a bang in 2008. Worlds.com, which holds a patent that never should have been issued on virtual worlds has sued NCSoft, makers of a bunch of popular online virtual worlds -- including some that were launched before the patent was even filed for in 2000. The Register link above shows a few examples of such virtual worlds, but you can dig back even further. In 1996 I was using OnLive! Traveler which did all of the things described in the patent described, as can be seen in the video below:



Not surprisingly, the lawsuit is actually being brought by General Patent Corp (GPC), one of a growing number of IP licensing firms who prey on companies (that actually innovate) by trying to enforce incredibly broad and highly questionable patents. Not surprisingly, GPC's execs have been active in protesting any sort of patent reform, claiming it would "mar innovation." I would suggest that patent reform is a hell of a lot less likely to mar innovation than suing innovative companies with overly broad patents that were applied for well after the technology in question was in common use.

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1. by Phillip - Dec 30th, 2008 @ 10:59am

Looks like they're trying to lay a foundation to go after World of Warcraft.

(reply to this comment) (link to this comment)

2. Re:

by William - Dec 30th, 2008 @ 11:18am

With the amount of money that Blizzard must have from their 11 million monthly paying users I'd bet they would fight off the law suit. They certainly have the power to.

(reply to this comment) (link to this comment)

3. Re: Re:

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by Phillip - Dec 30th, 2008 @ 11:19am

Oh I'm sure. I'm not saying it'd be a good idea, I just wouldn't be surprised.

(reply to this comment) (link to this comment)

4. by Anonymous Coward - Dec 30th, 2008 @ 11:21am

another bullshit move by bullshit patent owners. They need to be pushed face first into their own Bullshit!

(reply to this comment) (link to this comment)

5. Re: Re: Re:

by William - Dec 30th, 2008 @ 11:25am

(reply to this comment) (link to this comment)

6. by Overcast - Dec 30th, 2008 @ 11:42am

Looks like they're trying to lay a foundation to go after World of Warcraft.

Maybe - too bad for them the First Warcraft game came out years before 2000.

So did Everquest.

So did Doom, Quake, Baldur's Gate - the list could go on for pages and pages - literally.

Nope, sorry - try again. Virtual Worlds were around before NCSoft was even a company. And yes, all of those games could be played 'online'. Seen there, done that - even before it was 'cool'. Warcraft 1 and Doom were IPX games, but could be ran over Kali on the 'net.

Let us not forget Diablo either - really, in many ways the first true 'virtual world'.

Blizzard was already doing this before you were even in business Mr. Kim.

"NCsoft was originally founded in March 1997 by T.J. Kim, a business software developer and author of the Korean word processor Hangul."

"Diablo is a dark fantasy-themed action role-playing game developed by Blizzard North and released by Blizzard Entertainment on January 2, 1997."

"Warcraft: Orcs & Humans is a real-time strategy game, developed and published by Blizzard Entertainment in 1994"

If one was around in those days, they may recall various MUDs and other BBS games like Legend of the Red Dragon, which were also 'online virtual worlds' - just not with all the pretty graphics.

(reply to this comment) (link to this comment)

7. Don't forget...

by Avatar - Dec 30th, 2008 @ 11:49am

The first graphic virtual worlds were Neverwinter Nights on AOL (in the days of dial-up) and Ultima Online... all done before their bogus patent.

I'd really love to see them go after Blizzard... or Sony (who has Everquest and Star Wars)... good luck with that.

(reply to this comment) (link to this comment)

8. Re:

by Yuniverse - Dec 30th, 2008 @ 11:53am

Your comment, while it may be true, seems to pit Mr. Kim (NCSoft) on the same side as the Worlds.com and GPC.

It is GPC and worlds.com who are suing NCSoft for violating their patent(?).

Anyways, I just detest these bogus patents and companies who tries to glean off of legit companies who innovate.

Can't we do something about the crappy patent laws?

(reply to this comment) (link to this comment)

9. by Anonymous Coward - Dec 30th, 2008 @ 12:18pm

Ultima online: Prior to the patent.

Everquest Prior to the patent.

Hell, if we dive into movies describing the concept, let's take a look at The Lawnmower Man, which was released in

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1994.

Books? Even further back.

These guys are apparently not very good at their jobs...

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10. **Mike...are you helping?**

by Lonnie E. Holder - Dec 30th, 2008 @ 12:42pm

Mike:

I presume you are going to make this wealth of information available to the attorneys for the defendant(s)? It seems that it would make the case open and shut...

([reply to this comment](#)) ([link to this comment](#))

11. **by Lucretious - Dec 30th, 2008 @ 12:58pm**

I am embarrassed to say I actually PAID cash money to Worlds.com back when I got my first PC in '98 for their shitty chat software thinking it was going to be this amazing interactive experience. They were riding high on internet startup fever investments and were promising fortunes to record companies for branded band "worlds" (they got Aerosmith and Bowie to sign on somehow) which would create captive audiences for their products. Of course it was a joke. The software was buggy garbage and soon they fell apart like many other startups. I'm amazed they still keep the site going (which, up until a few months ago hadn't been updated in 8 years).

([reply to this comment](#)) ([link to this comment](#))

12. **Re: Mike...are you helping?**

by Anonymous Coward - Dec 30th, 2008 @ 1:01pm

Of course it must be noted that while the filing date is 11/2006, the relevant date for 102(b) purposes is prior to 11/2005, not to mention that it is the claims that define what has been invented and as to which the patent applies.

I am always intrigued by the technological expertise exhibited by many of the persons who frequent this site. If only I have the ability as they apparently do of being omnipotent and being able to immediately discern what is a "good" patent and what is a "bad" patent.

One should never let relevant facts get in the way of making up his/her mind. Otherwise they might actually have to think.

([reply to this comment](#)) ([link to this comment](#))

13. **Re: Re: Mike...are you helping?**

by Lonnie E. Holder - Dec 30th, 2008 @ 1:08pm

AC:

Why would anyone let something as minor as reading the claims get in the way of a blog post?

Regardless, I am a "put your money where your mouth is" kind of guy. If there is evidence that a patent should never have been issued because of prior art, then let's not let the prior art in public view even that is can be properly evaluated. The court case will go away like a bad dream, if the prior art existed before the filing date and if the prior art is relevant to the claims.

([reply to this comment](#)) ([link to this comment](#))

14. **by ben - Dec 30th, 2008 @ 1:12pm**

This is disgusting. Have any of you gone to Worlds.com website? Their product sucks big time. I've seen better graphics on the Commodore 64. Just because their product is a flop, they want to hire these bottom-feeding snakes GPC and steal from successful companies.

([reply to this comment](#)) ([link to this comment](#))

15. **by Anonymous Coward - Dec 30th, 2008 @ 1:21pm**

Prior art: Snow Crash, by Neal Stephenson.

([reply to this comment](#)) ([link to this comment](#))

16. **Re: Re: Mike...are you helping?**

by Jason - Dec 30th, 2008 @ 1:39pm

Actually Coward, I believe you meant to say "technical" expertise when you made your blanket insult toward the readers of this blog. "Technological" expertise refers to tech (you know, computers and junk); technical expertise refers to a highly specific and usually complex topic that requires much study to master, such as patent law.

You sound like a troll.

([reply to this comment](#)) ([link to this comment](#))

17. **Re: Re: Re: Mike...are you helping?**

by Anonymous Coward - Dec 30th, 2008 @ 2:35pm

Technological is often used interchangeably with technical since both are generally recognized as being adjectives. I happen to use technological when talking about scientific and engineering issues. Technical many times subsumes a much larger group of issues.

Blanket insult is inaccurate in that my statement was qualified by the modifier "many", and based upon many comments in threads pertaining to patented subject matter involving arts such as electronics/computers/pharma/etc. It seems apparent that many who are making disparaging comments do not have backgrounds in science/engineering and the like.

Just a guess, but your comment suggests you are not one whose profession is in either science or engineering. If it was, I believe you would likely comment in a much different manner. These are not easy disciplines to master, and the many nuances associated with what is and what is not relevant prior art would be readily apparent.

One thing to keep in mind. You will never read any comment I make that says "this is a perfectly valid patent", nor will you ever hear read any comment to the contrary. Why? Because these issues depend upon relevant facts, virtually all of which are not contained in the articles and their links. The most that can ever honestly be said is "I don't know at this point in time, I need more information."

([reply to this comment](#)) ([link to this comment](#))

18. **Re:**

by Lucretious - Dec 30th, 2008 @ 2:38pm

the site is actually updated (believe it or not). You should have seen it a few months ago.

([reply to this comment](#)) ([link to this comment](#))

19. **by ben - Dec 30th, 2008 @ 2:44pm**

OK guys, here's the skinny. I've been talking with Worlds.com CEO Thomas Kindred, and he turned me on to the fact that the 2000 patent is a continuation of a 1995 patent that originally (and broadly) outlines the concept of a virtual world where avatars can chat, yet not interact with each other or their environment. So guess what, they WILL win judgement pertaining to in-game chat systems in a virtual world, but if they try to go for the gold (entire virtual worlds), it is my opinion that since these games are significantly different from simple "chats", they will lose the farm.

([reply to this comment](#)) ([link to this comment](#))

20. **Re:**

by Anonymous Coward - Dec 30th, 2008 @ 3:06pm

This is a helpful post. Obviously other information will have to come to light before the matter can be resolved, but I commend you for talking to someone to try and get a "feel" for what is involved.

([reply to this comment](#)) ([link to this comment](#))

21. **Actually...**

by Mogura - Dec 30th, 2008 @ 3:29pm

The patent they're using to go after NCSoft is number 7,181,590. This patent specifically restrains the number of avatars visible to a particular user based on communications first restricted by the server, then further restricted by the client. These restrictions are based on Point of View as well as distance parameters.

The thing is, this is blatantly obvious to any serious developer for MMORPGs or any other scalar 3D environment. What would a good developer focus primarily on the avatars that are furthest away? Maybe developers would prefer a giant megaserver render every possible viewpoint into raw video format and stream it to every user? No, the solution provided in this patent falls under the "blatantly obvious" category; perhaps not to a layman, but to anybody with any computer science and 3D programming background whatsoever.

Further, their patent doesn't name any techniques for actually restricting this communication. It lists no algorithms whatsoever. There is no engine depicted. Instead, it lays claim to any and all possible methodologies for restricting this communication (and thereby conserving not only bandwidth, but CPU and GPU loads as well).

Sorry, this is a bad patent. Mike is patently correct, if you'll please excuse the pun.

([reply to this comment](#)) ([link to this comment](#))

22. **Re: Actually...**

by Anonymous Coward - Dec 30th, 2008 @ 3:34pm

It is useful to bear in mind that the test for determining the patentability of this invention is whether or not it, at the time it was made, would have been obvious to a person having ordinary skill in the art to which the invention relates. The

relevant timeframe is determined by the patent's earliest filing date, which in this instance is November 1996.

Maybe it was obvious in 1996. Maybe it was not. This is for a court to decide based upon relevant evidence provided to it by the parties.

(reply to this comment) (link to this comment)

23. Plenty of prior art and obvious solutions

by riggs - Dec 30th, 2008 @ 5:29pm

After taking a read through on this, it really simply combines 2 concepts. A graphical virtual world, and the methods and concepts behind the implementation of interaction and chatting. By interaction, I do not mean with anything that is a MOB (mobile object for the uninitiated), but with other clients connected. To be quite honest, I having trouble finding the innovative part. It relies on methods for chat transmission that were in place LONG LONG before they ever filed for this. Look up IRC (internet relay chat) if you want. Most IRC server protocol did all of this. The only true difference, is the method of determining when to render and at what distances on the client side.

Now as far as prior art or obviousness, it's difficult to say. To me, being a programmer (since 1990) a lot of this stuff is pretty damn obvious (and to be frank, most of programming IS). If this patent was a continuation of something filed in 1995, the only thing close to prior art that I can think of off the top of my head is Doom. Doom was a singleplayer/multiplayer 3D first-person shooter. Many of the concepts in that patent are present in Doom. Limitations on server and client ends for the number of clients that could connect and/or be rendered. Make no mistake, even though there was no central server "farm" as such, the computer that hosts the game is technically a server.

I think this is a bad patent yes. It is a horrible patent..but the vast majority of software patents ARE. Anyway, I wanna go finish this 5th, happy new year to everyone.

Just my 2 cents

(reply to this comment) (link to this comment)

24. by Anonymous Coward - Dec 30th, 2008 @ 9:01pm

Nothing sucks more than a video that starts playing without me hitting play. Did this happen to everyone or is it some sort of weird Ubuntu linux thing? I like that it started playing again when I hit comment. Bleh.

(reply to this comment) (link to this comment)

25. Re: Re: Re: Re: Mike...are you helping?

by Paul Stout - Dec 31st, 2008 @ 2:22am

Quote:

Blanket insult is inaccurate in that my statement was qualified by the modifier "many", and based upon many comments in threads pertaining to patented subject matter involving arts such as electronics/computers/pharma/etc. It seems apparent that many who are making disparaging comments do not have backgrounds in science/engineering and the like.

.....

This is an argument I've heard and seen used many times by those who want to disparage those disagreeing with their "lofty" knowledge of whatever subject was being discussed.

It is, of course, a specious argument. It's used when the author wishes to "talk down" to his audience, basically saying, see, "I'm smarter than you, so you should do as I say".

Bluntly put, "a background in science/engineering and the like" is not necessary requirement to write or speak intelligently on the subject. It helps, of course, but all that is really required is a modicum of intelligence, some common sense, and the habit of keeping abreast of events in those fields. Experience acquired over ones life time also comes into play.

Nice try AC, but it doesn't wash..

And, just so you know I'm not one of those "Many" you refer to, my background is specifically in Electronics Engineering and Computer Science, and well over 40 years of experience in those and related fields.

(reply to this comment) (link to this comment)

26. Re:

by Paul Stout - Dec 31st, 2008 @ 2:32am

Nope, you're not the only one.

I wrote a "carp" about it on the Q&A thread. It was the wrong thread for it of course, but if you read my two posts about it you'll see that I put the carp before the horse.

Hopefully Mike will make some necessary changes in future embedded videos that will prevent them from starting automatically.

(reply to this comment) (link to this comment)

stop the shilling!!!

by dinnerbell - Dec 31st, 2008 @ 6:49am

what constitutes "ridiculous patent holders" or patents? How would you know? Are you a patent attorney? Have you ever filed or prosecuted a patent application? When you learn something then tell us what you've learned. When you've had an experience then tell us what you've experienced. Short of that, spare us the web payola.

(reply to this comment) (link to this comment)

28. Re: Re: Re: Re: Re: Mike...are you helping?

by Anonymous Coward - Dec 31st, 2008 @ 7:18am

And, just so you know I'm not one of those "Many" you refer to. my background is specifically in Electronics Engineering and Computer Science, and well over 40 years of experience in those and related fields.

In which case it is all the more surprising you are speaking on the behalf of the "many" who are quick to express opinions about technological arts in which they have no substantive/relevant experience. It is one thing to express an opinion about what should or should not be embraced within the patent law (e.g., software and business methods), which is an opinion regarding public policy. It is, however, quite another matter when one without any knowledge of specific engineering fields expounds on a matter that does require such knowledge.

(reply to this comment) (link to this comment)

29. Re: Re:

by Anonymous Coward - Dec 31st, 2008 @ 7:21am

Are you talking about the soundtrack that is playing in the background?

(reply to this comment) (link to this comment)

30. by Perry Mason - Jan 1st, 2009 @ 2:29pm

"Inside of here, we are an anonymous being, and can conduct ourselves as such..." (From the video) This goes a very long ways towards explaining Mike's and several other folks's behavior here. Of course Mike has my e-mail address, so he can yell at me personally, but perhaps it is interesting that some may have lost touch with reality in minor or major ways. Does anyone here think the Wright brothers' patent should have been dis-allowed? It only claimed the use of hinged ailerons, but I am supposing that some here would maintain that wing warping anticipated their patent, so their nasty and greedy patent rights should not have been allowed. Perry

(reply to this comment) (link to this comment)

31. by Fawnet - Jan 2nd, 2009 @ 6:02pm

Interesting kerfuffle, but I'm really writing to thank you for posting that video. God, it looks like ancient history, and it wasn't that long ago. Kind of trippy.

(reply to this comment) (link to this comment)

32. Re:

by Anonymous of Course - Jan 3rd, 2009 @ 9:59am

MUD MUCK MOO... patent invalid.

(reply to this comment) (link to this comment)

33. by Robert - Jan 6th, 2009 @ 9:52pm

To anyone with even a passing understanding of the History of Games and game systems these patents most obviously should never have been issued in the first place.

The patent filed 1996 for example listed as US patent Scalable virtual world chat client-server system is not just used in mmo games. The method here is used in any online game

From wikipedia

Although MMORPGs, as defined today, have only existed since the early 1990s,[4] all MMORPGs can trace a lineage back to the earliest multi-user games which started appearing in the late 1970s.[4] The first of these was Mazowar, though more would soon be developed for the PLATO system.[13] 1984 saw a Roguelike (semi-graphical) multi-user game, called Islands of Kesmai.[13] The first "truly" graphical multi-user RPG was Neverwinter Nights, which was delivered through America Online in 1991 and was personally championed by AOL President Steve Case.[13] Other early proprietary graphical MMORPGs include three on The Sierra Network: The Shadow of Yserbius in 1992, The Fates of Twinxion in 1993, and The Ruins of Cawdor in 1995.

When NSFNET restrictions were lifted in 1995, the Internet was opened up to developers, which allowed for the first really "massive" titles. The first success after this point was Meridian 59, which also featured first-person 3D graphics.[14] although The Realm Online appeared nearly simultaneously and may be credited with bringing the genre to a wider player-base.[13] Ultima Online, released in 1997, may be credited with first popularizing the genre.[13] though Nexus: The Kingdom of the Winds was primarily responsible for mainstream attention throughout Asia which was released in

1996, about a year earlier than Ultima Online. It was EverQuest that brought MMORPGs to the mainstream in the West.
[13]

So previous to 1996 there were many prior art examples that featured the method described in 6219045.

Whats more all online games mmo or not use the system methods in US patent 7,181,690 System and method for enabling users to interact in a virtual space can not really be seen as a continuation as it deals with other functions namely basic REQUIRED server client architecture.

There is a reason all online games follow the methods they mentioned because the function of hardware and programing require them to.

They invented nothing they just copied the work of others and are attempting to claim it as there own.

(reply to this comment) (link to this comment)

34. Patents in 3D virtual worlds

by Virtual worlds dimension - Jan 7th, 2009 @ 1:08pm

The outcome of this case will sure have an impact on how virtual worlds will evolve in the future. However I don't see worlds.com having a very strong case as technology have evolved so much since their application was launched almost a decade ago.

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Virtual worlds firm files IP suit on Christmas Eve

by [Angela Gunn](#)

December 29, 2008, 7:00 PM

Worlds.com, which launched its first 3D avatar environment back in the mid-90s, has retained an intellectual property law firm and has filed patent infringement suits. Its first, against game developer NCsoft, was filed on Christmas Eve.

The company claims that NCsoft -- the publisher of *Lineage* and *City of Heroes* -- is infringing on two patents. The latest of the two, "System and method for enabling users to interact in a virtual space" ([US Patent 7,181,690](#)), was filed in August 2000 and awarded in February 2007. It describes a method for displaying other avatars and non-avatar objects (e.g., background items) to multiple users.

The earlier patent, "Scalable virtual world chat client-server system" ([US Patent 6,219,045](#)), was filed in November 1996 and awarded in April 2001. It describes how such a virtual world environment can be made scalable.

In mid-December, Worlds.com retained the IP-law firm Werner David and, in announcing the choice, specifically mentioned the two patents as protected intellectual property. Werner David's especially well-known for their work on biotech patent cases, but tech folk may be amused to hear that the firm has sued IBM and won while representing Diebold (the parent company of the e-voting machine maker), in a suit regarding ATM machines.

To make the litigation decision, Worlds.com worked with General Patent Corporation, the oldest (est. 1987) of the intellectual property management or (alternately) patent enforcement firms. Such firms usually first attempt to negotiate with companies that might be infringing on a client's patent. If this situation proceeds as have similar situations in the past, Worlds.com is likely to be pursuing licensing arrangements with a number of companies, perhaps larger firms such as Linden Labs (home of *Second Life*) or Blizzard Entertainment (home of *World of Warcraft*), turning to litigation when talks fail.

Tracking the situation over at [Virtual Worlds News](#), publisher Christopher Sherman agrees that Worlds.com probably didn't simply decide earlier in the month to ignite the lawyers. "I would imagine they've met with some resistance from some of the major companies and therefore have been planning a litigation strategy for some time. Just my hunch."

Word from the licensing firm wouldn't seem to contradict that assessment. "The Worlds patents represent exceptionally valuable intellectual property," said Alexander Poltorak, GPC's chairman and CEO, in a press statement when the Lerner David retainer was announced. "We welcome licensing inquiries from the online game industry."

Worlds.com representatives weren't available for comment by our deadline.

Add a Comment

8 Comments

Name E-mail

Betanews reserves the right to remove any comment at any time for any reason. Please keep your responses appropriate and *on topic*. Foul language and personal attacks will not be tolerated.

cheapgold

Jan 4, 2009 - 9:41 PM

In Maple Story, players will be able to create characters that will grow as they learn new skills and become stronger. There are four characters to choose from: Warriors, Bowmen, Magician, or Thief. These characters can be dressed in many different and colorful outfits. Personalizing characters is one of the goals of Maple Story. Once a character has been created, they will learn skills that will help them when they reach Victoria Island.

<http://www.cheap-insmesos.com>

<http://www.cheap-msmesos.com/index.html>

<http://www.allgametrade.com>

Score: 0

[Post Reply](#)[joltidude](#)Dec 31, 2008 - 8:10 PM *edited*

Nice to see these people are a buncha patent trolls.. I used their product years ago and it was just awful.. So they waited for someone to do it better to snap the lawyers out.. Really think its time for patent reform.. if you don't use it or even attempt to keep it current you lose it....I love how they just threw up a update to it recently to make it appear is if its a current IP theft.. Worlds is as bad as SCO in the patent-trolling wading pool.. Tend to agree with the others. I hope they get clobbered on Prior-Art

Score: 0[Post Reply](#)[PC_Tool](#)Dec 30, 2008 - 9:57 AM *edited*

The latest of the two, "System and method for enabling users to interact in a virtual space" (US Patent 7,181,690), was filed in August 2000

Ultima Online was **released** in September of 1997.

EverQuest, I believe, was released in March of 1999.

Based on the information in the article (didn't follow the links to the actual patents), they have nothing.

Why can't we sue these idiots for wasting taxpayer money and the courts time?

Score: 0[Post Reply](#)[ingram091](#)

Dec 30, 2008 - 2:02 PM

Exactly. This is nuts the kinds of things people sue for anymore. I mean give me a break. So they think they thought up the concept of a virtual world? IDTS: That's been in Novels for ages. Long before some of those idiots were even born was that concept thought of.

Whats next a Chemical bonding company patenting air? Take a breath and you are in violation of copyright... That's how ridiculous this feels.

Score: 0[Post Reply](#)[PC_Tool](#)

Dec 30, 2008 - 2:48 PM

Hell, "The Lawnmower Man" came out in 1994....

These guys are really bad at fishing...

Score: 0



[Post Reply](#)

brynnna

Dec 31, 2008 - 6:15 AM

Even better, "Tron" - 1982.

Score: 0



[Post Reply](#)

ruemere

Dec 30, 2008 - 6:26 AM

Two words: prior art.

Examples: MUDs, Crossfire.

Regards,
Ruemere

Score: 0



[Post Reply](#)

Scary Guy

Dec 30, 2008 - 5:07 AM

Wow, I haven't heard ANY news about worlds since MediaOne was pimping them when they were still around. I checked it out and thought "hey, that's neat you can chat like in cybertown.com"

Then I checked it years later and saw they made no improvements to the system using the same now outdated graphics. If they actually do something rather than just sue others to generate revenue that would be cool.

Score: 0



[Post Reply](#)

Windows 7, Windows Server 2008 R2 betas go live



This morning, the first beta build of Windows 7 for online release went live...

Palm's past is Pre-logue for a buzzworthy phone



It's a phone. It's a phone that didn't even arrive on Earth shooting out of...

Samsung: We had questions, they had answers



A roundtable panel on Thursday afternoon at CES was one of the show's briefer...

Live from the Blu-ray press conference



Last year, the Blu-ray press conference was all about how the format was...

RIM rolls out a thinner Curve smartphone



At CES, RIM is introducing a smartphone touted as the thinnest full-QWERTY...

Yahoo leverages TV widgets in rebound attempt



Yahoo is trying to bounce back from its financial woes with the announcement...

Panasonic's latest Blu-ray player is a tag-along



Panasonic announced what it said was the first portable Blu-ray Disc player,...

Sony's new DSC-G3 Wi-Fi camera includes... a Web browser



Left out of its press event yesterday, Sony today launched a new Wi-Fi...

Casio debuts its Greenscreen-ish 'Dynamic Photo'



For the last decade, Casio Computer has kept a sharp focus (no pun intended)...

A glimpse at a new desktop Google Android device



Touch Revolution, a year-old California company that specializes in custom...

HTC unveils Windows phones for T-Mobile and unlocked use



At CES today, HTC is announcing another mobile phone for T-Mobile's US...

Toshiba starts integrating DVD into small-screen displays



Want to watch a movie in bed? Cooking programs in the kitchen? Pilates videos...

One smartphone stands out

- [RIM rolls out a thinner Curve smartphone](#)
- [Palm's past is Pre-logue for a buzzworthy phone](#)
- [Skype launches on Android, Java-capable mobile phones](#)
- [SlingPlayer Mobile beta now available on BlackBerry handsets](#)

Sony

- [Sony's new DSC-G3 Wi-Fi camera includes... a Web browser](#)
- [Sony expands the IPTV connection for its latest Bravias](#)
- [Live from Sony's Thursday keynote](#)
- [Sony hints of more details today on 3-D, portable PCs, OLED TVs](#)

Bargain-basement Blu-ray

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IPTV in your HDTV

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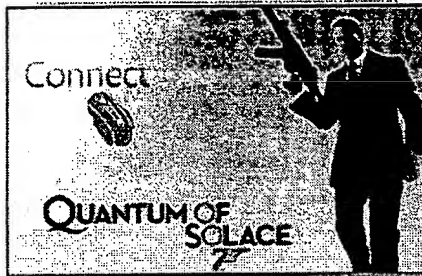
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Games for Windows LIVE

Industry News

December 30, 2008

Report: Worlds.com Hits NCsoft With Patent Infringement Suit

Virtual world company Worlds.com filed suit against City Of Heroes publisher NCsoft on Christmas Eve, claiming infringement on its MMO technology patent.

The main patent referenced in the suit is a "System and Method for Enabling Users to Interact in a Virtual Space."

According to the lawsuit, obtained by the Virtual Worlds News website, Worlds.com alleges that NCsoft's online games, including *Dungeon Runners*, *City of Heroes/Villains* and *Lineage II*, among others, are in violation.

Earlier this month, Worlds.com, which launched in 1994, referenced its holding of patents for two technologies common in virtual worlds and MMOs: scalable chat and user interaction in a virtual space.

As MMO site Massively reported at the time, this theoretically gives Worlds.com enforcement power over just about any online game that lets users talk and interact in a game world -- and the ability to collect financial damages.

Massively's report noted that Worlds.com's interaction patent was filed in 2000 -- after the launch of other games such as *Habitat* or *Ultima Online*, which appear to include some reasonably similar features.

The complaint, filed in NCsoft's home ground of the Eastern District of Texas, seeks a permanent injunction against NCsoft operating games covered under the patent, plus damages for the alleged infringement, "in no event less than a reasonable royalty", as well as lawyers' fees.

Worlds.com's second patent, unreferenced in this particular legal claim, is "Scalable virtual world chat client-server system", which was filed in 1996 and granted in 2001.

POSTED: 01:38PM PST, 12/30/08 - Leigh Alexander - LINK

Comments

Alan Rimkeit

29 Dec 2008 at 5:19 pm PST

cough Patent Troll *cough*

Roberto Alfonso

29 Dec 2008 at 6:43 pm PST

Actually, they have apparently been using their own patents developing works around them. Patent trolls are usually those who try to enforce patents (many of which they have never developed) through lawsuits, never using them for actual technology advancement (which is the base of the patent system). The question is whether they will hit World of Warcraft and Guild Wars.

Of course, prior art may go back to MUD games, especially MOOs where you are able to manipulate objects to build your own rooms (since I am a professional programmer, I cannot read patents other than the ones I or the company I work for filed... so MUD/MOO may not even fit as prior art).

2009's Dark Horse Console Launch: The Story Behind Zeebo [01.09.09]

No consoles will debut 2009, right? Not so. Brazilian manufacturer Tectoy, will launch an entirely original product called Zeebo in emerging markets, featuring games like *FIFA*, *Tekken* and *Quake* and using 3G wireless game distribution. Gamasutra sits down with Zeebo's U.S. CEO John Rizzo to learn more...



The Most-Awaited Games Of 2009: Nintendo DS [01.09.09]

Continuing Gamasutra's look at the most interesting 2009-due titles for each platform, we examine the Nintendo DS's most-awaited games, from first-party retail powerhouses like *Pokemon Platinum* to intriguing puzzle hybrids like *Henry Hatsworth* and *Galactrix*.

Report: Bethesda, Nintendo Games Have Best Resale Value [01.09.09]

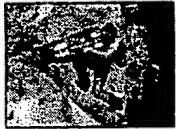
A new survey of 2008 secondhand game resale trends reveals that Nintendo and Bethesda-published titles have the biggest resale value, whereas games on the Sega, Brash, Sierra labels resell for the least, on average -- chart within.



[More News] [Search News]

► The History Of Pong: Avoid Missing Game to Start Industry [01.09.09]

In the first of a new Gamasutra series, Loguidice and Barton present a detailed history of Pong, the video game that jumpstarted the entire business, and some of the innovations it inspired.



► Postmortem: Mommy's Best Games' Weapon of Choice [01.08.09] Ex-Insomniac programmer Nathan Fouts created one of the standout Xbox Live Community Games in 2D side-scrolling shooter

Weapon Of Choice, and explains how in this Gamasutra postmortem.

► Game Developer's Front Line Awards 2008 [01.07.09]

The editors of Gamasutra sister publication Game Developer magazine present the full 2008 Front Line Awards, with industry notables ranking and discussing this year's best game tools.



[View All Features]

Daniel Fertise

29 Dec 2008 at 10:29 pm PST

Umm... What? This cannot be serious? This strikes me as silly on the level of rappers trying to copyright words.

Teri Thom

30 Dec 2008 at 1:41 am PST

It won't stick.. The patent is too loosely written without enough research done on the people they are trying to sue..and that's just a tiny bit of what's wrong with this. It's a joke. They'll only lose money. Ridiculous.

Austin Ivansmith

30 Dec 2008 at 2:08 am PST

What about FPS games where you can send text messages during a match? Hasn't that been a standard in every game?

Guild Wars is published by NCsoft, so they are already being hit, Roberto. They may file suit over Blizzard, unless there is some specific technology in the software that NCsoft uses.

Ultimately, very lame. I am reminded of a previous Gamasutra article http://www.gamasutra.com/view/feature/3562/the_designers_notebook_damn_all.php

Chris Edge-Alexander

30 Dec 2008 at 2:13 am PST

Just to highlight another factor for discussion, these are US Patents.

Carl Chavez

30 Dec 2008 at 4:36 am PST

Gotta love the diagram on page 3. I've heard of "patent pending", but the idea of patent penguins is quite innovative.

On a more serious note, there is too much prior art for the suit to have any chance. Even something like the old VR game "Dactyl Nightmare" precedes the date of filing of the interaction patent's document by almost a decade and can be described by all of its twenty points.

Ephriam Knight

30 Dec 2008 at 5:49 am PST

Chris,

NCsoft provides products and services to the US and can therefore be targeted.

If this company wins here, they have the possibility of shutting down Blizzard and Sony as well as dozens of smaller shops and prevent any external studio from releasing their MMO in the US.

It most likely won't come to that and most of the larger companies may end up settling and providing royalties to this company.

Personally, I want to see them fail hard.

L Foz

30 Dec 2008 at 6:37 am PST

What a frigging joke this patent is. This patent covers the exact same technology that we have seen in use since as early as 1992 with 2.5D and 3D games that also used a client/server. Worse yet there is really nothing in this patent that could not be applied against today's non-MMO games since its broad based methods are still in use in every client/server based multiplayer game on the market today.

Cmon guys let's find the prior art and give these patent trolls what they deserve!

I cannot wait to see multiplayer 2.5D and 3D games from as early as 1992 being used to invalidate this patent.

Chris Edge-Alexander

30 Dec 2008 at 8:22 am PST

@Ephriam

Completely agree with your sentiments and I too hope they fail hard.

Consider a company based in Europe or Asia providing a globally accessible MMO online. If the servers are not based in the US (or elsewhere under US

jurisdiction), they are unaffected by this patent.

Adam Bishop

30 Dec 2008 at 8:26 am PST

Even if it isn't "patent trolling", this is still a blatant misuse of the concept of a patent. A patent should be used for a genuinely new and creative piece of technology; the telephone and the lightbulb come to mind as examples. When the concept of patents was created, no one had any idea what technology would be like today, and I can't imagine they would actually have wanted such simple processes as Amazon's 1-Click or "user interaction in a virtual space". Neither of those things are inventions, they're ideas, and that's not the same thing at all. Patenting a piece of technology is perfectly acceptable. Patenting a way to "use" a piece of technology is not.

Stephen Panagiotis

30 Dec 2008 at 8:54 am PST

User Interaction In a Virtual Space...wouldn't that cover every chat room, IM application, MMO, standard multiplayer, everywhere? I smell a problem with this...

Unless like someone said above, NCSoft is using a SPECIFIC technology that Worlds.Com has already created for use. Thats the only thing which could hold and validity.

Thats like someone saying McDonalds, Burger King and every fast food restaurant are infringing on my patent to "consume liquids through an exterior process" (The Straw). Quick someone set me up with a lawyer!

Roberto Alfonso

30 Dec 2008 at 9:09 am PST

Aha, thank you Austin, forgot NCsoft was the one developing Guild Wars.

Aaron Murray

30 Dec 2008 at 9:50 am PST

It would be nice if the company suing had to repay all legal fees when they get denied in court.

Gregory Austin

30 Dec 2008 at 10:03 am PST

It seems to me that they're going after NCsoft because they're struggling and might not be able to afford a court case.

While if they went after Sony or Blizzard they'd get crushed.

L King

30 Dec 2008 at 10:28 am PST

They're going after NCSoft because it's a Korean company that will be in a plaintiff-friendly East Texas courtroom. They assume a jury won't be as sympathetic to a non-American. They think NCSoft is the easiest first target. If they prevail, the bigger guys like Blizzard face a precedent.

Man, NCSoft just keeps taking hits. First they get mugged by the Garriott boys with Tabula Rasa, and now they're gonna get robbed by bloodthirsty patent-troll lawyers.

Carl Chavez

30 Dec 2008 at 11:22 am PST

@L Foz, Stephen: no, the patent is specific about user interaction in a 3D virtual space using a client/server model. Text-based and 2D-based virtual spaces are not covered. So, the way I understand it, 3D games like "Air Warrior" (1986), "Battletech" (1990), or "Meridian 59" (1995) would count, but multiplayer games like "NetTrek" (2D), "Ultima Online" (2.5D) or "Tradewars" (text-based BBS) would not.

Damien Foletto

30 Dec 2008 at 11:47 am PST

I'm going to patent verbal communication using the human mouth, lungs and vocal chords as a delivery system, then I'm going to sue every human who utters a word!

Bill Loudon

30 Dec 2008 at 12:57 pm PST

what nonsense. I was product manager for COMMUNICATION and ENTERTAINMENT products at CompuServe from 1979-1985. The earliest inventor

of Chat was CompuServe (1982), with one my my products, called, "CB Simulator."

And when it comes to "Virtual worlds," I created the first commercial MMO, MegaWars, in 1982, while at CompuServe and went on to create GENie for which at least two-dozen more MMOs, many of which were graphical, 3D "virtual spaces" were offered commercially from both internal and third-party developers.

Beyond that, the practice of user interaction in a virtual 3D space existed well before this "purported" patent. The first graphical front-end, 3D, virtual world with chat was Air Warrior in 1986. In addition, the principles of user-perspective views of virtual worlds was well-known at least 15 years before their patent filing. GENie had graphical MMOs and CHAT products for the Apple Macintosh (A-MAZE-ING, 1988), IBM (Stellar Emperor, Air Warrior, BattleTech, RS Cards, and CHAT games, among others as early as 1986). Other ISPs such as Delphi, AOL, US Videotel, and more had graphical MMOs from Kesmai Corp (now owned by EA).

Any lawyers out there that need an expert witness and prior art on this issue, contact me.

Stone Bytes

30 Dec 2008 at 1:17 pm PST

It is absolutely CATASTROPHIC.

In the past, I've been fairly open to the application of patents, and still believe that behind this hell of a mess, there were good intentions, but there it has gone too far.

Have you read the descriptions?
They are all encompassing and as damning vague as they can be some times.

Worse, what about all those other patents (links you can find following the former link presented at the top of this article):

4414621 Interactive visual communications system Nov 8, 1983
4441162 Local network interface with control processor & DMA controller for coupling data processing stations to common serial communications medium Apr 3, 1984
4493021 Multicomputer communication system Jan 8, 1985
4503499 Controlled work flow system Mar 5, 1985
4551720 Packet switching system Nov 5, 1985
4654483 Electronic conference system Mar 31, 1987
4686698 Workstation for interfacing with a video conferencing network Aug 11, 1987
4718005 Distributed control of alias name usage in networks Jan 5, 1988
4768150 Application program interface to networking functions Aug 30, 1988
4777595 Apparatus for transferring blocks of information from one node to a second node in a computer network Oct 11, 1988
4780821 Method for multiple programs management within a network having a server computer and a plurality of remote computers Oct 25, 1988
4796293 Enhanced dedicated teleconferencing system Jan 3, 1989
4814984 Computer network system with contention mode for selecting master Mar 21, 1989
4825354 Method of file access in a distributed processing computer network Apr 25, 1989
4887204 System and method for accessing remote files in a distributed networking environment Dec 12, 1989
4897781 System and method for using cached data at a local node after re-opening a file at a remote node in a distributed networking environment Jan 30, 1990
4937784 Distributed interactive processing method in complex system including plural work stations and plural host computers and apparatus using the same Jun 26, 1990
4939509 Data conferencing arrangement for stations having keyboards and displays, using a keyboard buffer and a screen buffer Jul 3, 1990
4949248 System for shared remote access of multiple application programs executing in one or more computers Aug 14, 1990
4949254 Method to manage concurrent execution of a distributed application program by a host computer and a large plurality of intelligent work stations on an SNA network Aug 14, 1990
5008853 Representation of collaborative multi-user activities relative to shared structured data objects in a networked workstation environment Apr 16, 1991

Take the one featured in the article, plus those above, and you're pretty much covering the entirety of the "cyber" media spectrum, from multiplayer games (not even MMOs people, look at the claims) to community websites to TeamSpeak to methods for data processing when it merely comes to protocols and what else, etc.
Freaking nuts!

Teri Thom

30 Dec 2008 at 1:32 pm PST

hi 5's Damien Foletto ... awesome

Kevin Kordes

30 Dec 2008 at 2:53 pm PST

This may explain why they are taking this stance:

<http://investing.businessweek.com/research/stocks/snapshot/snapshot.asp?capId=102490>

And here's the list of people you can thank:

<http://investing.businessweek.com/businessweek/research/stocks/people/people.asp?symbol=WDDD.OB>

Bill Loudon

30 Dec 2008 at 4:30 pm PST

Stone,

You are correct. They are claiming everything. In my experience, this is typical of this type of ploy. First, they are plying on the ignorance of the US Patent Office clerks to understand the concepts of "cyberspace." Second, they (the US Patent office and perhaps the company, worlds.com, itself) have not studied the history of online to know that these sorts of "technologies" have been known by those knowledgeable of the Online technology evolution, of Internet and X.25 networking, or from mainframe to client-server computing platforms.

Look at Kevin's links to the Bulletin Board company...look at their reported revenues in 2007 and 2008 (\$0). My wife's hobby / e-bay 'store' has done more revenue than they have.

I've consulted for several firms in defense of such frivolous lawsuits and patent claims in the past. In most cases, the respective patents are revoked; but not without considerable time and expense by the defending companies and the gamer community.

Aaron Casillas

30 Dec 2008 at 7:09 pm PST

Great list Stone! Yup sounds like someone took advantage of a misunderstood tech...some of these could be attributed to Xerox or IBM as well....I mean is someone going to claim the "WASD" keyboard mapping as well?

Sutthipong Kuruhongsa

30 Dec 2008 at 7:22 pm PST

This highlight an important fact that the patents system is broken and been taken advantage by the ugly lawyer and wanna-get-rich-quick bastard which doesn't added any value what so ever to the innovative process of innovation development.

Mike Shiratti

30 Dec 2008 at 8:13 pm PST

This is a complete joke, but still not a good thing for NCsoft at all. They need to get guild wars 2 out before they have the money to deal with this kind of thing.

Ken Nakai

30 Dec 2008 at 9:26 pm PST

I wish them a lot of luck...SCO tried this (with a flimsy case but still tried it) and the company is now worthless and virtually bankrupt. I'd love to see them go after Blizzard with the same patents (if they're selective about who they sue it'll throw doubts on the enforceability of their patents...some of the people can't be right and others wrong). I think Blizzard can hold out for quite a while...as this idiot company runs out of money and drives itself into the ground.

I think it's high time the patent system was looked at...it no longer serves the purpose its founders had set for it. Now, it's an excuse to milk other people for their ingenuity (please don't tell me this ridiculously obscure company really invented this stuff...they saw what was coming and took advantage of the fact that most game companies at the time were still green when it came to patents...these types are the types of companies that need to be shut down for being 100% useless...

Roger Hågensen

31 Dec 2008 at 9:05 am PST

If I where the judge I would toss this patent out the door for three main reason:

1. It has been too many years since the patent was approved and they acted on infringement.
2. The patents had been in use for some time by others before the patent approval, although this may be faulted to the patent office, at the time of the approval of the patent there was several prior arts.
3. If the patent claims are accepted, the damages to companies and consumers would be far too great as these and related patents are in too widespread use by now and should be considered public domain instead.

 Ram Firestone

31 Dec 2008 at 11:02 am PST

I believe Meridian 59 was released for sale in September of 1996 before these guys filed their first patent in November of 1996. If nothing else that should constitute prior art since there were specifically talking about 3D space in their patent.

 Heather Decker

31 Dec 2008 at 11:45 am PST

I think the growing theme in America would be, "If the ship is sinking, sue someone else!" From what I'm seeing here, suing/patent trolling apparently takes less energy than coming up with original ideas to patent or developing any type of useful technology. Just hire yourself a rabid lawyer and away you go! Obviously our patent system is hideously flawed if U.S. businesses can make these sorts of claims. No one should be able to sit around trying to patent general internet protocols in use by the entire world. Nor should you be able to sue a company right now for something that was actually developed by someone else decades ago. Obviously our system needs a revamp to cut the crap. This is an embarrassment!

Also, I wholeheartedly agree with most all the points you guys are bringing up. It's extremely lame that NC Soft is being singled out when there are countless other games that use the "patented technology" that's being fingered here. Clearly this company is choosing their battles, hoping that a company facing a bit of turmoil right now, founded by non-U.S. citizens, will be trumped by their all-American Texas court setting. And we wonder why the rest of the world scoffs at us?

 Lawrence Doolittle

31 Dec 2008 at 3:32 pm PST

I'd imagine it'd be in Sony, Blizzard, Mythic and even Bioware's best interest to help ncsoft out here (if they even need it, they aren't THAT bad off, are they?) so as to prevent a precedent from being set.

Because somewhere, somehow, you just know some other patent troll has patented something that is used in either WoW, Everquest II, WAR, or the upcoming Bioware mmo. If NCsoft loses, I can almost guarantee another case like this in the next couple of years.

 John Bonachon

6 Jan 2009 at 10:20 am PST

1) To infringement a patent you must follow step by step the patent, so it is pretty easy to void a patent, changing one (or more) part of the patent, for example if I patent "two penguins in a room are able chat", then I haven't right over "two canary in a room are able to chat".

2) Misuse, generic usage, or unfair use of the patent, you can be grant of the patent "3d representation in a 2d surface" (in fact it was granted) BUT you can't obtain royalties from such patent, hence this patent is as good as toilet paper.

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NCSOft sued by MMO patent holders

Author: Joe Martin

Published: 6th January 2009

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If valid, Worlds.com's patent would precede even Ultima Online and open all MMO publishers to lawsuits.

This is a little late and that admittedly owes a lot to the extended Christmas holiday, but MMO publisher NCSOft is being sued for patent infringement by Worlds.com, a virtual world platform.

The lawsuit is based around a patent that was filed way back in 2000 for a suitably vague "system and method for enabling users to interact in a virtual space". The wording of the patent means that it could pretty much apply to any MMO or online world in existence.

The lawsuit itself was filed against the NCSOft Texas offices on Christmas Eve and targets all of the publishers previous games, which isn't a small number. The Korean-based NCSOft has been behind pretty much every decent non-Blizzard MMO out there, whether it be *Lineage* or *City of Heroes*. The company also published Richard Garriott's *Tabula Rasa*, though that didn't do so well.

<http://www.bit-tech.net/news/2009/01/06/ncsoft-sued-by-worlds-com/1>

Interestingly however the patent owned by Worlds.com, which could also be used to sue Blizzard or Sony Online Entertainment, was filed only after some of the first MMOs, such as *Everquest*, were published.

Stephen Roth, lead attorney for Worlds.com, disputes this issue however by saying that the patent was first filed back in 1995. If true then that would mean that Worlds.com does indeed own a pretty valid patent on the MMO model - one which predates even *Ultima Online*.

NCSOFT has said that it will vigorously defend itself from these claims, but if the patent is as valid as it looks then it may not make much of a difference.

Is this a valid claim from Worlds.com or is the legal system just being further abused by money-hungry shareholders? Let us know what you think in the forums.

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✦ [Arkanrais](#) 6th January 2009, 11:24

abuse. why don't they sue the whole internet while they're at it. from the abstract, it seems that every site that lets you communicate with others violates the patent (I'm too lazy to go reading the whole patent draft for exactly what it's after)

✦ [Darkedge](#) 6th January 2009, 11:24

Claims, screwed up the Lawsuit application and is basically patent trolling... blatantly the legal/patent system being further abused by money-hungry shareholders.

Main patent applied for in 2000. NCsoft released Lineage in 1998 (in Korea, announced 1997). FAILS.

Secondary patent is 1995, before Lineage release or announcement, before any MMO really not just NCsoft produced HOWEVER - not exploited by company so claim will fail. Not mentioning there is prior art in countless MUDs.

It's badly timed and a rubbish attempt - will fail and be forgotten in a couple of months. Even if the facts I've already stated are ignored by a dumb US Judge, all other MMO companies will run in and make sure this fails as they would be affected by the terrible incorrect precedent that it sets.

✦ [proxess](#) 6th January 2009, 11:43

You can all stick your intellect patents up the rear. This is just getting too stupid. Ultima Online beta dates to 1995 so the intellect was there already.

✦ [khz](#) 6th January 2009, 11:45

<http://knol.google.com/k/dv8-org/worldscom-a-history/2pp40c68ytz4i/2#>

Worlds Chat was the very first three-dimensional avatar world to become widely available on the Internet. It worked so well that it

<http://www.bit-tech.net/news/2009/01/06/ncsoft-sued-by-worlds-com/1>

<http://www.bit-tech.net/news/2009/01/06/ncsoft-sued-by-worlds-com/1>
inspired a whole generation of 3 dimensional worlds, starting in April 1995.

1994

Ron Britvich joined KAW. He worked on the AlphaWorld (renamed Active Worlds) project inside KAW, along with the "official" product Worlds Chat. KAW was renamed as Worlds Inc. Lynne Ann and Danny Viescas joined Worlds Inc. as avatar and object makers, David Leahy was the Integrator and Producer for Worlds 1994 - 1997. He developed Cyber Oz City (the first 3D commercial space). David Tolley, the composer and sound effect maker (based in San Francisco, California) worked for Worlds .Inc from 1995 - 1997. He was a staff composer for this multi-media firm, writing music for their 3D virtual reality programs "Worlds Chat," "AlphaWorld," and "Nishho-Toppa". He also composed for Starbright (the company's joint venture with Steven Spielberg).

NOVEMBER 1995 Patent No. 747420 filed

US Patent 6219045 - Scalable virtual world chat client-server system

✦ lirathea 6th January 2009, 11:53

Hahahahaha

Oh god. Patent trolls.

They make my day.

That said, this seems like it has some grounding, although it is so abstract it hurts.

✦ Silver51 6th January 2009, 12:11

Are they starting with NCSOFT and working their way up to Blizzard, or will the lawsuits only surface when they're running low on cash?

Its patent trolling like this that slows our progression as a whole.

✦ airchie 6th January 2009, 13:15

What a pile of toss.

I hate this patent-trolling nonsense...

✦ Veles 6th January 2009, 13:53

Urgh

Hey I just remembered, I patented the FPS

✦ Lilliput King 6th January 2009, 13:54

I'm a little confused here. Wouldn't the patent mentioned in this article:

"system and method for enabling users to interact in a virtual space"

cover things like the LAN mode in Doom? And that was 1993.

✦ Veles 6th January 2009, 13:58

Actually it will cover any game, unless there's more to the patent than that statement which I expect their is.

It doesn't actually say who/what the users are interacting with, so it's basically people interacting with something in a virtual space, yep, they've patented the computer game.

✦ proxess 6th January 2009, 15:08

They've patented the whole concept of computers! Way to go!

✦ Zurechial 6th January 2009, 16:04

Funny how they go for NCSOFT but they haven't the balls to take on Activision Blizzard.

Worlds.com = Leeroy Jenkins

MMOs = Drakes

I predict a fail.

✦ PEarl 6th January 2009, 16:06

Bunch of low life US numskullz !!! Thas equivalent to patenting how we interact anywere in the world.

All they do in the US is sue this sue that !!! How about suing me for breathing !!!

Then costs go up for everything 3D wise. . . Money hungry turds. They have no life !!!

Time for some hate mail to

Thom@worlds.com

✦ Tetre 6th January 2009, 16:52

Screw this guys, I just patented music. I'm so suing Beethoven for 220 years back damages.

<http://www.bit-tech.net/news/2009/01/06/ncsoft-sued-by-worlds-com/1>

<http://www.bit-tech.net/news/2009/01/06/ncsoft-sued-by-worlds-com/1>

✚ [Lilliput King](#) 6th January 2009, 18:00

Quote:

Originally Posted by [Veles](#)

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I wouldn't say that. Interact really implies things acting with eachother, so users "interacting" would be users doing stuff with other users. Point remains they hardly did that first.

But as you say there is probably a great deal more to it as there usually is with legal documents.

✚ [LordPyrinc](#) 7th January 2009, 01:39

The intent of the patent system has been corrupted. A system that was once meant to protect actual inventions and technology has now become a place where trolls can patent ideas with no concern for proving the idea or whether or not the idea has already been implemented by others. The system as it is damn near worthless. These lawsuits are ridiculous and make only the lawyers richer in the long run. At minimum an entity applying for a patent should have proof that they have implemented the technology and have intent to market with 3 years. If they do not market the technology within 3 years, they should lose the patent. This would slay many a troll.

✚ [thehippoz](#) 7th January 2009, 02:51

lol I loved lineage 2.. I dunno how many people I pk'd and roid raged in those servers.. I doubt they have a patent on people losing 2 days of 'work' grinding online when my phantom ranger confused a boss onto thier character and they'd drop a piece of thier inventory and tons of xp (like this one guy remember dropped his 5 mill adena blue wolf helmet).. I'll take that!

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world.com.. I'm sorry but I haven't heard of them- I remember mmo's around 95 though like virtual worlds.. they were'nt in quite what he had after that.. maybe they have a claim

✚ [docodine](#) 7th January 2009, 04:53

Quote:

Originally Posted by [Lilliput King](#)

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"system and method for enabling users to interact in a virtual space"

cover things like the LAN mode in Doom? And that was 1993.

MIDI Maze has Doom by six years.

✚ [willyolio](#) 7th January 2009, 05:48

internet forums and chat rooms are "systems and methods for enabling users to interact in a virtual space"

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<http://www.bit-tech.net/news/2009/01/06/ncsoft-sued-by-worlds-com/1>



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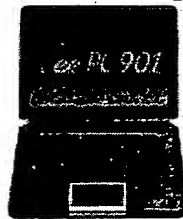


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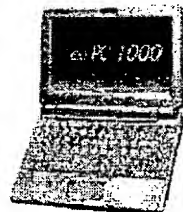


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☐ 6th Jan 2009, 11:02

#1

CardJoe

Bearded, honest.
bit-tech Staff



Join Date: Apr 2007
Posts: 5,715

☐☐☐ 6th Jan 2009, 11:24

#2

Arkanrais

Supermodder



Join Date: Jul 2007
Location: Wangamadness, New
Zealand
Posts: 265

☐**NCSOft sued by MMO patent holders**<http://www.bit-tech.net/news/2009/01...y-worlds-com/1>

NCSOft is being sued by MMO developer Worlds.com,
which basically alleges that it invented the MMO model.



-----*-----
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abuse. why don't they sue the whole internets while they're at it. from the abstract, it seems that every site that lets you communicate with others violates the patent (I'm too lazy to go reading the whole patent draft for exactly what it's after)

Visit my [DeviantArt](#) page or I'll make you squeal like a piggy, yell threats and throw a spatula at you.
FEAR THE SPATULA!

Quote:

Originally Posted by **crompers**
get her something that will benefit you, but looks really thoughtful - like crotchless knickers or a gimp mask and ball gag

The
Ultimate
Guide to
PC
Gaming



6th Jan 2009, 11:24

#3

Darkedge
Supermodder

Join Date: Nov. 2004
Location: UK
Posts: 324

Claims, screwed up the Lawsuit application and is basically patent trolling... blatantly the legal/patent system being further abused by money-hungry shareholders.

Main patent applied for in 2000. NCsoft released Lineage in 1998 (In Korea, announced 1997). FAILS. Secondary patent is 1995, before Lineage release or announcement, before any MMO really not just NCsoft produced HOWEVER - not exploited by company so claim will fail. Not mentioning there is prior art in countless MUDS.

It's badly times and a rubbish attempt - will fail and be forgotten in a couple of months. Even if the facts I've already stated are ignored by a dumb US Judge, all other MMO companies will run in and make sure this fails as they would be affected by the terrible incorrect precedent that it sets.

6th Jan 2009, 11:43

#4

proxess
Victim of
AdvancedModernCapitalism

Join Date: Nov 2006
Location: The town of Love,
Funchal
Posts: 370

You can all stick your intellect patents up the rear. This is just getting too stupid. Ultima Online beta dates to 1995 so the intellect was there already.

Main Laptop Junk: Intel Centrino Duo T5500 1.66ghz; 2048mb RAM; ATI Mobility Radeon x2300; Hitachi 120gb + iPod Video 60GB + Maxtor 160GB External.
Old Junk: Pentium 4 Northwood 1.8ghz @ 2.52ghz with ThermalRight XP-90c and Noiseblocker SE2 92mm; 2048mb DDR400; MSI Nvidia Geforce 4 Ti4800 SE 128mb with Zalman VF700cu; Maxtor 40GB.
Both Rocking Ubuntu, 'cause I'm a noob, but you're even worse!

6th Jan 2009, 11:45

#5

khz
What's a Dremel?

Join Date: Jan 2009
Posts: 1

<http://knol.google.com/k/dv8-org/wor...p40c68ytz4j/2#>

Worlds Chat was the very first three-dimensional avatar world to become widely available on the Internet. It worked so well that it inspired a whole generation of 3 dimensional worlds, starting in April 1995.

1994

Ron Britvich joined KAW. He worked on the AlphaWorld (renamed Active Worlds) project inside KAW, along with the "official" product Worlds Chat. KAW was renamed as Worlds Inc. Lynne Ann and Danny Viescas joined Worlds Inc. as avatar and object makers, David Leahy was the Integrator and Producer for Worlds 1994 -1997. He developed Cyber Oz City (the first 3D commercial space). David Tolley, the composer and sound effect maker (based in San Francisco, California) worked for Worlds .Inc from 1995 -1997. He was a staff composer for this multi-media firm, writing music for their 3D virtual reality programs "Worlds Chat," "AlphaWorld," and "Nishho-Toppan". He also composed for Starbright (the company's joint venture with Steven Spielberg).

NOVEMBER 1995 Patent No. 747420 filed
US Patent 6219045 - Scalable virtual world chat client-server system



6th Jan 2009, 11:53

#6

liratheal

Ignoring customers for forums



Join Date: Nov 2005
Location: United Kingdom
Lichfield
Posts: 1,763

Hahahhahaha

Oh god. Patent trolls.

They make my day.

That said, this seems like it has some grounding, although it is so abstract it hurts.

Gigabyte MA790FX, X4 9950 Black Edition, 8gb Gefl Black Dragon, 2x4870 512mb, Antec TruePower Quattro 850w

I game, Do you?



6th Jan 2009, 12:11

#7

Silver51

Last of the Brunnen-G



Join Date: Jul 2006
Location: Cornwall
Posts: 544

Are they starting with NCSOft and working their way up to Blizzard, or will the lawsuits only surface when they're running low on cash?

Its patent trolling like this that slows our progression as a whole.



6th Jan 2009, 13:15

#8

airchie

I *am* a Dremel



Join Date: Mar 2005
Location: Aberdeen, Scotland
Posts: 1,899

What a pile of toss.

I hate this patent-trolling nonsense...

Laptop: Toshiba Equium L300
Projects: 1.2TB Fileserver housed in a cardboard box||Retro HTPC for my GF.

Quote:

Originally Posted by **liratheal**
Don't get me wrong - DRM can suck my man bits.



6th Jan 2009, 13:53

#9

Veles

Bread is awesome!

Urgh.

Hey I just remembered, I patented the FPS



Join Date: Nov 2005
Location: Bristol/Cardiff, UK
Posts: 4,672



6th Jan 2009, 13:54

Lilliput King
What's a Dremel?

Join Date: Nov 2008
Posts: 19



6th Jan 2009, 13:58

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Bread is awesome!



Join Date: Nov 2005
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Posts: 4,672



6th Jan 2009, 15:08

proxess
Victim of
AdvancedModernCapitalism

Join Date: Nov 2006
Location: The town of Love,
Funchal
Posts: 370



6th Jan 2009, 16:04

Zurechial

Veles on: [Xbox Live \(My Halo stats\)](#), [Steam Community](#)

Quote:

Originally Posted by Fod
spam gangsters might as well tap into all those machines for their zombie networks.

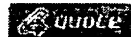


#10

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#11

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Both Rocking Ubuntu, 'cause I'm a noob, but you're even worse!



#13

Funny how they go for NCSoft but they haven't the balls

Supermodder



Join Date: Mar 2007
Location: Ireland
Posts: 547



6th Jan 2009, 16:06

iPEarl

I have a Mouse in my Purse!



Join Date: Apr 2008
Location: Houston TX
Posts: 7



6th Jan 2009, 16:52

Telre

What's a Dremel?

Join Date: Jan 2009
Posts: 1



6th Jan 2009, 18:00

Lilliput King

What's a Dremel?

Join Date: Nov 2008
Posts: 19



to take on Activision Blizzard.

Worlds.com = Leeroy Jenkins
MMOs = Drakes

I predict a fail.

Valediction

C2D E6600 @ 3GHz (DD TDX) <-> 4GB OCZ DDR2 PC6400 <->
EVGA 680i SLI <-> BFG 8800GTS 512 @ 770/1890/1984 (Swiftech
MCW60) <-> BIX II <-> Swiftech MCR120 <-> Laing DDC 18W <->
LG M228WA 22"



#14

Bunch of low life US numskullz !!! This equivalent to
patenting how we interact anywhere in the world.

All they do in the US is sue this sue that !!! How about
sueing me for breathing !!!
Then costs go up for everything 3D wise. . . Money hungry
turds. They have no life !!!

Time for some hate mail to
Thom@worlds.com



#15

Screw this guys, I just patented music. I'm so suing
Beethoven for 220 years back damages.



#16

Quote:

Originally Posted by Veles
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more to the patent than that statement which I
expect their is.

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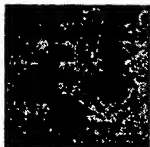
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doing stuff with other users. Point remains they hardly did
that first.

But as you say there is probably a great deal more to it as
there usually is with legal documents.

7th Jan 2009, 01:39

#17

LordPyrinc
Legomaniac



Join Date: Mar 2008
Location: USA
Posts: 167



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HP Pavilion Elite m9040n PC - Vista Home Premium
Intel Core 2 Quad Processor Q6600 @ 2.40ghz - 3G of RAM - Dual 320G HDs
Upgrades/Add-ons: 22" Widescreen LCD, 700W RocketFish PSU, BFG GeForce 8800 GT OC,
160G Ext USB HD, Logitech X-540 5.1 Surround Sound Speakers
Mobile Broadband Modem (No more dialup!!!)

7th Jan 2009, 02:51

#18

thehippoz
Modder



Join Date: Dec 2008
Posts: 55



lol I loved lineage 2.. I dunno how many people I pk'd and rold raged in those servers.. I doubt they have a patent on people losing 2 days of 'work' grinding online when my phantom ranger confused a boss onto thier character and they'd drop a piece of thier inventory and tons of xp (like this one guy remember dropped his 5 mill adena blue wolf helmet).. I'll take that!

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7th Jan 2009, 04:53

#19

docodine
Supermodder



Join Date: Feb 2007
Location: USA

Quote:

Originally Posted by Lilliput King
I'm a little confused here. Wouldn't the patent mentioned in this article:

"system and method for enabling users to interact in a virtual space"

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Posts: 253



that was 1993.

MIDI Maze has Doom by six years.

Armagetron is the bomb.



7th Jan 2009, 05:48

20

willyolio
Multimodder

internet forums and chat rooms are "systems and methods for enabling users to interact in a virtual space"



Join Date: Feb 2007

Posts: 127



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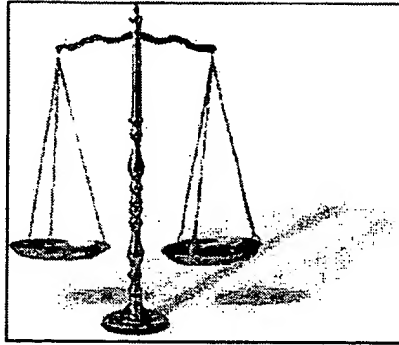


Patents threaten virtual worlds, MMOGs

by [Tateru Nino](#) Dec 12th 2008 at 10:30AM

Filed under: News items, Opinion, Second Life, Legal, Virtual worlds

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Reader Comments (Page 1 of 2)



12-12-2008 @ 11:13AM

Patchouli Woollahra said...

This screams 'money grab', and is what I would describe also as a attempt to ransom an entire industry with the aid of an extremely big pair of clubs.

Worlds.com needs to die in a fire. Even if they have more of a leg to stand on than the Santa Cruz Organization ever had with Linux, the implications of a Worlds.com success in court over this would be unthinkable. Isn't there meant to be legislation against racketeering in America?

Reply



12-12-2008 @ 2:01PM

Kara Spengler said...

It will be interesting to see what happens. Since SOP with software is the legal department files whatever patents they can, I am sure SL, WOW, and so on could have some counter-suits if they wanted.

Remember Mutually Assured Destruction?



12-12-2008 @ 9:25PM

Tateru Nino said...

Maybe so. Many other companies and engineers refuse to file them as a matter of principle - so many companies may not be armed with defensive patents.

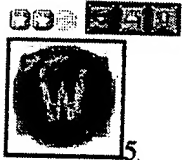


12-12-2008 @ 12:56PM

Kazadun said...

This directly shows the integrity or lack there of from Worlds.com.
I have already written an email detailing my disappointment with them and I would suggest that anyone else reading this do the same.
Especially in an economic climate such as this to see a greedy CEO taking this stance is disheartening.

Reply



12-12-2008 @ 4:08PM

Doubledown Tandino said...

How are these patents legitimate. How can someone claim ownership of something they did not invent?

RE: The two patents in question are 6,219,045 and 7,181,690. Respectively those are "Scalable virtual world client-server chat system" and "System and method for enabling users to interact in a virtual space".

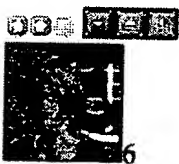
It seems that both of these should be followed with "in relation to worlds.com"How can Thom Kidrin declare all virtual worlds and all virtual world chatsystems his when he only patented one kind?

It seems that each world's chatsystem and each world's shell and structure are unique, and the creator of each world should retain their own individual patents.

All this is just a loophole and Thom Kidrin is trying to abuse words and terms... but when 1 million strong come at this from every angle..... EEK... I feel sorry for Thom Kidrin.... cause it's rare that one person is going to have to battle EVERYONE, not from just one world, but from ALL worlds.

The longer this foolishness goes on, the more Thom Kidrin seals his fate as 'the worst person in MMOG history' ouch, that's a pretty nasty title to have for someone that owns a virtual world.

Reply



12-12-2008 @ 9:19PM

Tateru Nino said...

The way things generally work is that it's the first one who gets to the patent office with the most correct paperwork, as it were.

Having your application granted by the USPTO gives you provisional ownership. They're also the people who handle trademarks, and you've seen *some* of the silliness that can surround those. Patent law is even *more* exciting.



12-12-2008 @ 9:25PM

Tateru Nino said...

For example, this application last year that patents online scavenger hunts... <http://www.google.com/patents?printsec=abstract&zoom=4&id=eQiiAAAAEBAJ&output=html>



12-12-2008 @ 4:28PM

DeathMutant said...

I suspect that Blizzard and other top MMOG publishers will join forces for the sole purpose of proving these types of "claims" unwarranted.

Perhaps Sci-Fi authors that describe "cyberspace" like William Gibson (Neuromancer, 1984) will be allowed to comment. Patent claims do not usually require the actual construction of a device or process -- just the idea -- and there are a hell of a lot of ideas that have been published in science fiction long before someone tried to file a patent claim.

Reply



12-12-2008 @ 5:39PM

Arashikou said...

Technically, you need the DESIGN of something to patent it, not just the idea for it. Ideas aren't patentable. But the standards for what constitutes a patentable design (especially in software) have become so lax in the last few decades that the difference between "Oooh, wouldn't it be neat if..." (idea) and "Here's how we could make a..." (design) has practically become nil.

Also, it's not just Blizzard we have to hope will step in. EA and Sony have much more of a history of getting into legal tussles and have a stake in this. Hell, stepping beyond the bounds of MMOs, MICROSOFT runs a few services that it seems to me would infringe on these patents. I doubt their flock of lawyers is going to sit by and

let some no-name website threaten them



10

12-12-2008 @ 6:23PM

ArcaneEyes said...

holy shit, are these guys for real?

thats not just shooting yourself in the foot, thats outright blowing your head off.

and actually, some patents have been killed because they were used in sci-fi novels, ie. someone had the "idea" before they did. i don't see how the patent got trough at all, concidering this.

i never even heard of them before. to me, thats "not using" the right you have, especially concidering i'm pretty into MMO and virtual worlds...

it should be judged invalid, and the guy should be sentenced some cash-fine for wasting the time of gamers and courts around the world.

Reply

OOO FFF



11

12-12-2008 @ 6:48PM

alphadog said...

More proof that patents on software should be abolished, much like patents on business processes have fallen.
(a.k.a. the Bilski Decision)

Patents were design to protect tangible inventions, not mathematical concepts.

Reply

OOO FFF



12

12-12-2008 @ 6:59PM

alphadog said...

@DeathMutant: You don't just patent ideas. Furthermore, after the recent Bilski Decision, it seems that if you can do something "in your head", even if slower than a computer, it is not patentable, even if "original". Software is math, it is the notation system for complex math. As such, it isn't patentable; that's why we have had decades of

issues related to software patents.

Reply



13

12-12-2008 @ 10:13PM

Kole said...

Both patents are directed to systems for limiting the number of avatars displayed client side at a time.

Whether or not they are valid depends on what existed before 1996 and 2000 respectively. Its also unclear if anyone else is actually is practicing the claimed invention. Their claims specify counting all the avatars on a system and comparing that number to a display limit. Any game with instances probably doesn't use this system. Also any game with draw distance limits probably doesn't use this system. So what does that leave?

Its interesting that they say they pioneered the technology in 1995 but didn't patent it until 1996. They might have invalidated their own patents by releasing the system to the public before they filed - you can't claw back into a patent for something you already released to the public.

I can't see them going against Blizzard with this, they have so much money, they could keep this in the courts until the people behind World.com are forced declare bankruptcy.

Also the patents were only filed in the US. It can be practiced anywhere else with impunity.

Reply



14

12-12-2008 @ 11:01PM

TigroSpottystripes Katsu said...

I once read that this patent sneaking shit was what caused most joysticks nowadays to either be completely passive or just vibrate (haptic feedback) instead of having true force feedback (moving the stick against the hand and all) :/

but hopefully you guys are right about the flaws that will make this attack fail :)

Reply





15

12-13-2008 @ 1:40AM

Jason said...

Anyone remember Habitat for the Commodore 64? Wasn't that in 1984 or something, definitely before these greedy farts "pioneered" virtual worlds 11 years later. And what about all the MUDs even before that?

Reply



16

12-13-2008 @ 8:15PM

Steve said...

Unlike patent trolls that are out there, at least Worlds has been involved in 3D worlds for a long time and actually uses the technology. To me it looks like that Patent Office is a factor in the timing since the second patent was granted only recently.

Reply



17

12-14-2008 @ 9:22PM

Doubledown Tandino said...

Does this help any?

"Moove" - A German based virtual world created in 1994. Emphasis on 3d Chat and dating.

Reply

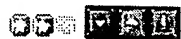


18

12-14-2008 @ 11:06PM

Tateru Nino said...

Not if they didn't file a conflicting patent with the USPTO first - if they were using the specific technology and it was a trade-secret at the time, it probably doesn't count.



19

12-15-2008 @ 8:54PM

Gwyneth Llewelyn said...

Also, Moove's parent company is located in Germany (although they have offices in the US too), and Europe doesn't acknowledge software patents, so very likely Moove is free to ignore any crazy software patent rights in the US.

It's definitely time for the European SL grid... ;)



20

12-16-2008 @ 1:11PM

David Sauter said...

Prior Art for "System and method for enabling users to interact in a virtual space":
DikuMud: 1990/1991
(<http://en.wikipedia.org/wiki/DikuMUD>)

Prior Art for "Scalable virtual world client-server chat system":
IRC: 1988
(<http://www.irc.org/history.html>)

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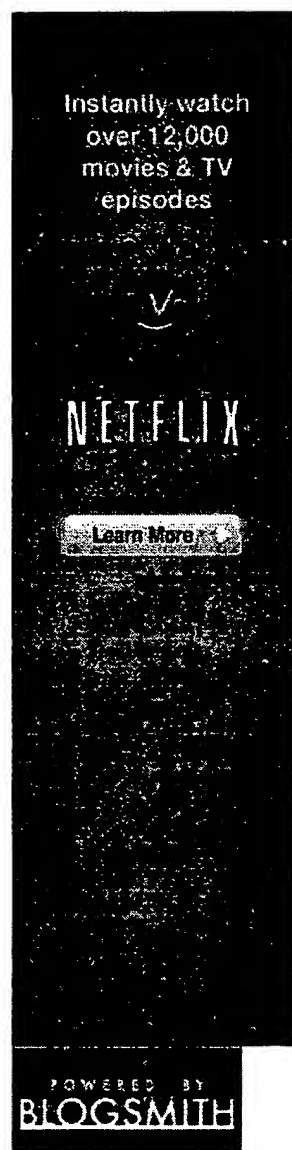
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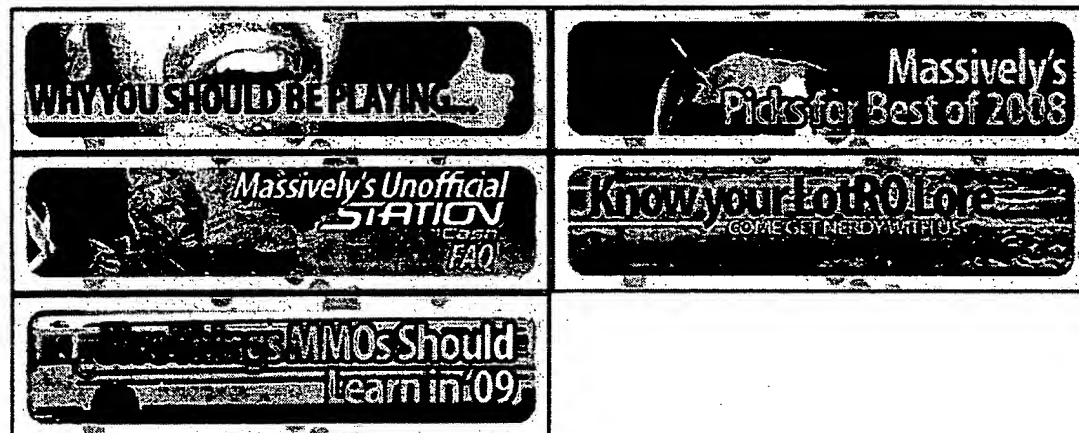
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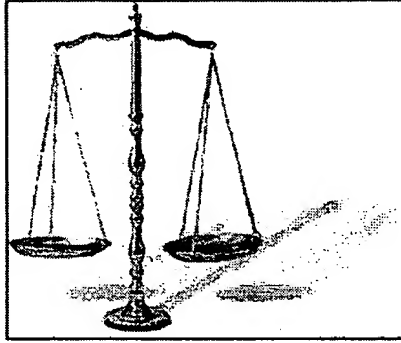


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21

12-29-2008 @ 4:03PM

matt daly said...

meridian 59 was launched in late 1995, no?

Reply



22

12-30-2008 @ 9:57AM

Bo said...

These patent should be invalidated at this point.

Its a totally unfair patent that has no merit, even to consider someone actually granted this patent in 2007 where MMO is at its highpoint, that guy/firm should be sued for granting that patent in the first place.

Well anyways, im a game maker from the EU so it doesnt really concern me, but something like that annoys me to hell..

Boykot worlds.com for being dumb, thats what ill do :)

Reply



23

12-30-2008 @ 10:06AM

Tateru Nino said...

Updated the post (check the end of it) for some additional material.

Reply



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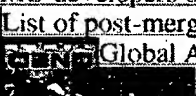
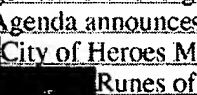
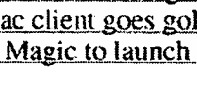

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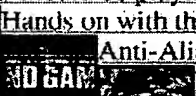
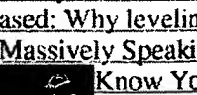
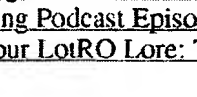
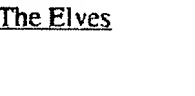
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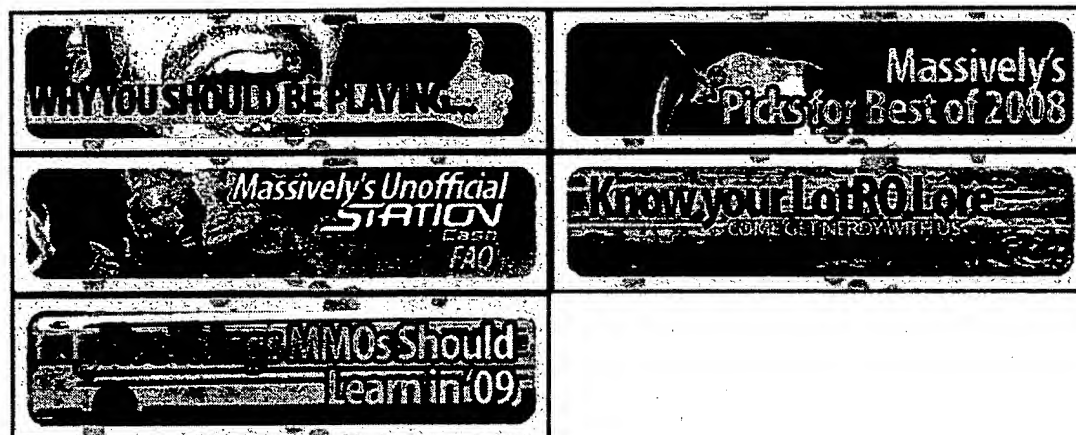
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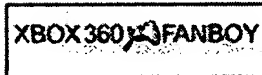
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